

CENTRAL CORRIDOR TRANSIT TRANSPORT
FACILITATION AGENCY AGREEMENT (TTFA)



CENTRAL CORRIDOR
TRANSIT TRANSPORT FACILITATION AGENCY

PROTOCOLS

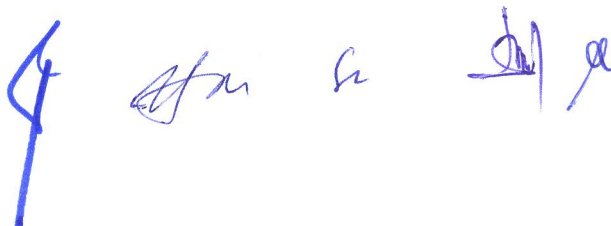
AUGUST, 2014

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TABLE OF CONTENTS

Preamble.....	
Protocol No. 1 Maritime Port Facilities	1
Protocol No. 2 Routes and Facilities.....	3
Protocol No. 3 Customs Controls and Operations	7
Protocol No.4 Documentation and Procedures.....	23
Protocol No. 5 Transport of Goods by Rail.....	29
Protocol No. 6 Transport of Goods by Road.....	34
Protocol No. 7 Inland Waterways Transport of Goods.....	47
Protocol No. 8 Transport by Pipeline.....	50
Protocol No. 9 Multimodal Transport of Goods.....	55
Protocol No. 10 Handling of Dangerous Goods.....	72
Protocol No. 11 Measures of Facilitation for Transit Agencies, Traders and Employees.....	74
Interpretation of Provisions.....	77
Amendment to the Protocols.....	77
Entry into force.....	77
Declaration	77

(i)



PREAMBLE

The Government of the Republic of Burundi,
The Government of the Democratic Republic of Congo,
The Government of the Republic of Rwanda,
• The Government of the United Republic of Tanzania, and
The Government of Republic of Uganda,
Hereinafter referred to as the Member States:

NOTING that on 2nd day of September 2006 the Corridor Member States signed the Central Corridor Transit Transport Facilitation Agency Agreement setting up the Agency (TTFA);

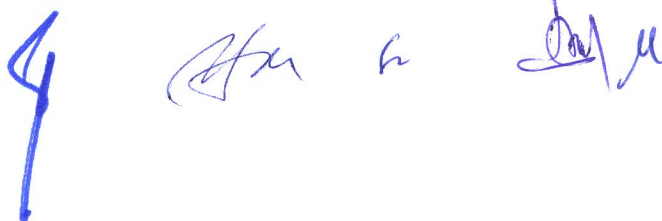
RECOGNISING that the Central Corridor Transit Transport Facilitation Agency was thereafter set up with its Permanent Secretariat in Dar es Salaam and immediately started on the task of putting in action a work program to implement the objectives of the Agency;

RECALLING that the Central Corridor Transit Transport Facilitation Agency Agreement provided for the enactment of Protocols for the enablement of effective implementation of the goals of the Agency;

AWARE that without the enactment of the Protocols, achievement of the objectives of the Agency shall be constrained;

NOW, THEREFORE, the Corridor Member States hereby agree to enact the following Protocols which shall, henceforth form an integral part of the Central Corridor Transit Transport Facilitation Agency, Agreement.

(ii)

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PROTOCOL NO. 1

MARITIME PORT FACILITIES

Article 1: Application

Pursuant to Article 5 of the Central Corridor Transit Transport Facilitation Agency Agreement, the Corridor Member States agree to apply the provisions of this Protocol, which shall hence forth form an integral part of the Agreement.

Article 2: Content of Protocol

This Protocol governs the use, under the rule of equal treatment, by the Corridor Member States, of maritime port facilities of the United Republic of Tanzania for the purpose of moving transit goods through those areas under the jurisdiction of the Tanzanian Ports Authority, or of any other port operator legally operating in Dar es Salaam.

Article 3: Definitions

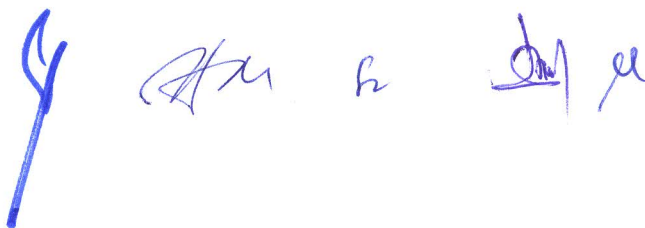
Definitions applicable to this Protocol are those formulated in Article 1 of the Central Corridor Transit Transport Facilitation Agency Agreement.

Article 4: Use of port facilities

The Government of the United Republic of Tanzania agrees to the use of her maritime port facilities by Corridor Member States for the movement of goods in interstate trade or transit to and from the Corridor Member States, and to make available or facilitate the duly authorized operators to make available to them warehouses, sheds, open space or other appropriate facilities, to the extent possible, and under the terms and conditions noted in this Protocol.

Article 5: Equal treatment of ships

The Government of the United Republic of Tanzania guarantees that ships registered in, or chartered by, or carrying goods for Corridor Member States, and the crew of such ships, shall enjoy treatment equal to that accorded to Tanzanian vessels and crew as regards access to and use of the maritime port facilities.

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Article 6: Jurisdiction over port facilities and services

Overall responsibility for the administration, operation and maintenance of facilities made available to the Corridor Member States shall remain with the Tanzanian Ports Authority or with any other operator legally appointed for that purpose and for specific facilities under the laws of the United Republic of Tanzania.

Article 7: Fees and charges

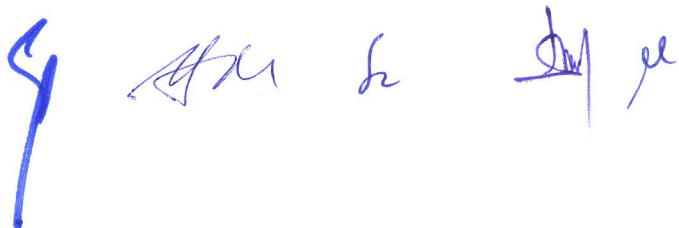
- a. The published and actual fees and charges to be paid in relation to interstate trade and transit traffic to the Corridor Member States for use of the maritime port facilities, either operated by the Tanzanian Ports Authority or by any other operator, shall not exceed those to be paid by other users of the port facilities under similar circumstances.
- b. Any special preferential treatment or reduced rate or other benefit granted to a stakeholder of one of the Corridor Member States or person or entity acting in the interests of the trade of one of the Corridor Member States or granted to its goods, or to its vehicles, for commercial or other services, shall, be granted to any other stakeholder from the Corridor Member States or person or entity acting in the interests of the trade of one of the Corridor Member States, or shall be granted to goods or means of transport, satisfying conditions similar to those which justified the grant of a preferential treatment, reduced rate or other benefit.

Article 8: Procedures

The Government of the United Republic of Tanzania confirms that the provisions of Article 9 of the Central Corridor Transit Transport Facilitation Agency Agreement regarding streamlining of procedures shall apply in Dar es Salaam Port and in any other maritime ports of the United Republic of Tanzania, according to the Schedule Number 1 to the Agreement with a view to expedite transit and interstate traffic.

Article 9: Settlement of disputes

Any dispute between the Corridor Member States concerning the interpretation of this Protocol shall be settled in accordance with the provisions of Article 29 of the Central Corridor Transit Transport Facilitation Agency Agreement.

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PROTOCOL NO. 2

ROUTES AND FACILITIES

Article 1: Application

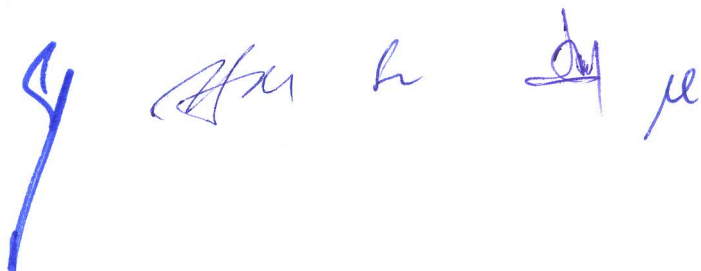
Pursuant to Article 6 of the Central Corridor Transit Transport Facilitation Agency Agreement, the Corridor Member States agree to apply the provisions of this Protocol on Routes and Facilities.

Article 2: Content of the Protocol

In this Protocol, the Corridor Member States agree to designate the routes specified in Annexes I, II and III to Protocol 2 for use by the other Corridor Member States for their traffic in transit and for traffic used in inter-state trade on their respective territories, to make available the facilities specified in Section I of this Protocol for use in connection with such traffic, and to ensure the distribution of the costs for construction, maintenance and repair of the routes as set out in Article 11 of this Protocol .

Article 3: Definitions

Definitions applicable to the present Protocol are as provided for in Article 1 of the Central Corridor Transit Transport Facilitation Agency Agreement.

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SECTION I. DESIGNATION OF ROUTES

Article 4: Routes for road traffic

For the passage of traffic in transit by roads through the Member States as presently designated by the said Member States and as attached as *Annex I to Protocol 2*, or as may be amended from time to time by Competent Authorities.

Article 5: Routes by rail

For the passage of traffic in transit by rail through the Member States as presently designated by the said Member States and as attached as *Annex II to Protocol 2* or as may be amended from time to time by Competent Authorities.

Article 6: Transit routes through the inland waterways

For the passage of traffic in transit through the inland waterways by the Member States as presently designated by the said Member States are as in the attached *Annex III to Protocol 2*, or as amended from time to time by Competent Authorities.

Article 7: Routes using the pipeline

The Governments of the Corridor Member States interested in developing Pipeline Transport System will indicate the routes of the said pipeline architecture which form part to this protocol.

Article 8: Customs authorized routes and border crossing points

Routes authorized by Customs for the passage of traffic in transit and for the passage of interstate traffic, and Customs offices designated for clearance of such traffic as presently specified in the Protocol No. 3 on Customs control to the Agreement, or as may be amended from time to time by Competent Authorities.



SECTION III MAINTENANCE AND DISTRIBUTION OF COSTS

Article 11: Maintenance of routes

The Corridor Member States shall adopt requisite policies for infrastructure financing, maintenance and management, including policies encouraging the involvement of private entrepreneurs, to ensure that the routes within their territories designated in this Protocol for the passage of interstate traffic and traffic in transit are safe, secure and in working condition.

Article 12: Road tolls

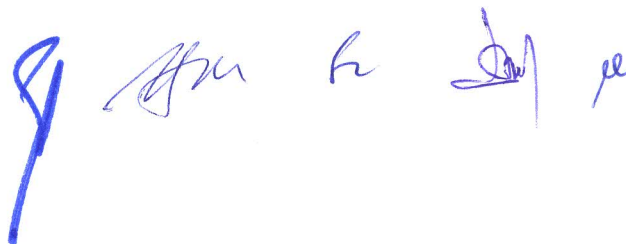
Subject to the provisions of Article 7 b, of Protocol No. 1, each Member State may where necessary, through a designated competent authority, levy route tolls to defray the costs for maintenance of sections of their roads for interstate traffic and traffic in transit, in coherent with other Corridor Member States.

Article 13: Construction of New Routes and Facilities

Where a Contracting Party desires the construction of a new route or routes or any facility thereon in the territory of another Member State, it shall conclude an agreement for this purpose with the Contracting Party on whose territory the route or facility is to be constructed. The construction of such new routes and facilities shall be on such terms as shall be agreed between the Corridor Member States concerned.

Article 14: Protection of the interests of Transit States

The Corridor Member States may restrict or prohibit traffic in transit or interstate traffic on certain routes, for the duration of repair work or for the duration of removal of a danger to public safety, or public emergency. Before traffic in transit or interstate traffic is restricted or prohibited for reasons other than emergencies, Corridor Member State imposing restrictions or prohibitions shall give prior notice of not less than 30 days to the Competent Authorities of the other Corridor Member States.

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PROTOCOL NO. 3

CUSTOMS CONTROLS AND OPERATIONS

Article 1: Application

- a. Pursuant to Article 8 of the Central Corridor Transit Transport Facilitation Agency Agreement, the Corridor Member States agree to apply the provisions of this Protocol related to Customs control and in conformity with the relevant customs laws and regulations.
- b. The provisions of this Protocol shall not preclude the application of the provisions of Protocol or Protocols for transit trade and transit facilities agreed by any Member States to any regional and sub-regional grouping to which a Corridor Member State has ratified.

Article 2: Content of the Protocol

The Protocol covers the use of customs documentation affecting the efficiency and transit or operations.

Article 3: Definitions

For the purpose of this Protocol and in addition to the definitions included in Article 1 of the Central Corridor Transit Transport Facilitation Agency Agreement, the following expressions shall have the meanings hereby assigned to them:

“**Customs Transit Document**”: Means the customs document for transit declaration in a format approved by the Corridor Member States and in conformity with any similar document approved by any regional or sub regional common market to which the Corridor Member States have ratified;

“**Customs security**”: Means an undertaking given to the Customs in cash, bond or as a written guarantee as a case may be to ensure that an obligation to the Customs authorities will be fulfilled;

“**Customs transit**”: Means a Customs procedure under which goods are transported under Customs control from one Customs office to another;

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“Customs transit operation”: Means the transport of goods from an office of departure to an office of destination under Customs transit;

“Declarant”: Means a person licensed by the Commissioner of Customs and authorized by the owner of the goods to deal with customs documents and who signs a Corridor Member State Transit or Transfer Document for customs transit or transfer or in whose name it is signed;

“Import or export duties and taxes”: Means, Customs duties and all other duties, taxes, fees or other charges which are collected on or in connection with the importation or exportation of goods but not including fees and charges which are limited in amount to the approximate cost of services rendered;

“Means of transport”: Means a particular vehicle, railway wagon, sea-going or river vessel or other device used for the transportation of goods or persons.

“Office en route”: Means, any Customs office through which goods in transit or transfer pass in the course of a Customs transit or transfer operation;

“Office of departure”: Means any Customs office at which a Customs transit or transfer operation commences;

“Office of destination”: Means, any Customs office at which a Customs transit or transfer operation is terminated;

“Temporary admission”: Means a Customs procedure under which certain goods can be brought into a Member State territory conditionally, relieved from payment of import duties and taxes; such goods must be imported for a specific purpose and must be intended for re-exportation within a specified period and without having undergone any change except normal depreciation due to the use made of the goods;

“Transfer”: Means the movement of goods from one EAC Partner State directly or indirectly to another EAC Partner State, but shall not include goods in transit, goods for transshipment or goods for warehousing in bonded warehouse.

Transport-unit: see Means of transport

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SECTION I: GENERAL PROVISIONS

Article 4: Coverage of the Protocol

The provisions of this Protocol shall cover the transport, either in transport-units which can be effectively sealed by the Customs or in non-sealable transport equipment, under Customs transit or transfer of goods:

- (a) Consigned from the territory of one Corridor Member State and destined to a place in the territory of a third country through the territory of one or more other Corridor Member States;
- (b) Consigned from the territory of a third country and destined to a place in the territory of one Corridor Member State through the territory of one or more other Corridor Member States; and
- (c) Consigned from the territory of one Corridor Member State and destined to a place in the territory of another Corridor Member State through the territory of a third party State.

Article 5: Duties and taxes, temporary admission

- a. The Corridor Member States agree not to subject goods which are destined to or consigned from the territory of other Corridor Member States and which are carried through their territories under Customs transit or transfer, to the payment or deposit of import or export duties and taxes, provided that the conditions laid down in this Protocol are complied with;
- b. The Corridor Member States agree to grant temporary admission for any means of transport, which are used, or intended to be used, for the carriage of goods under Customs transit or transfer through their territories. No security or temporary admission document shall be required for such means of transport;
- c. The Corridor Member States agree to exempt from payment of import duties and taxes on the following: fuel and lubrication oils contained in the normal tanks of means of transport upon arrival, spare parts, accessories and equipment, including special equipment for the loading, unloading, handling and protection of cargo, which are imported with the means of transport and are intended to be re-exported therewith;

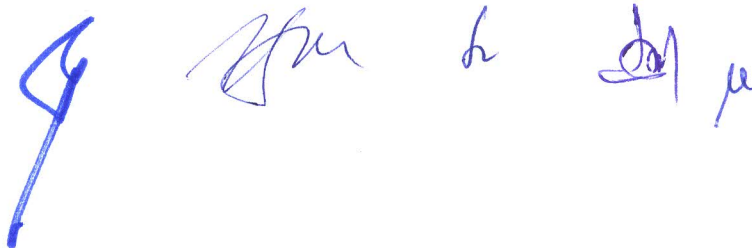
- d. The Corridor Member States also agree to grant temporary admission for maintenance and recovery vehicles, and for parts and equipment which are to be used, in the course of repair or maintenance, as replacements for parts and equipment incorporated in or used on a means of transport which is already temporarily admitted in their territories. Security and a temporary admission document may be required for such parts and equipment.

Article 6: Routes for Customs Transit or Transfer

The Corridor Member States undertake that the routes specified in Annexes I, II and III to Protocol No. 2 may be used for Customs transit or transfer operations in their respective territories.

*Article 7: Business hours and competence of frontier Customs offices
for Customs Transit or Transfer*

- a. For the purposes of this Protocol the corresponding Customs offices which are located on the common frontier, shall be open every day, including Sundays and public holidays. Working hours shall be harmonized and Corridor Member States agree to take necessary measures to enable their frontier customs offices to move towards 24 hours operations;
- b. The relevant Customs authorities shall regularly review the feasibility of extending the border closing and opening times with a view to implementing such extension as soon as its feasibility is established;
- c. The Corridor Member States shall authorize their corresponding frontier Customs offices to clear all goods carried under Customs transit or transfer in accordance with the provisions of this Protocol.

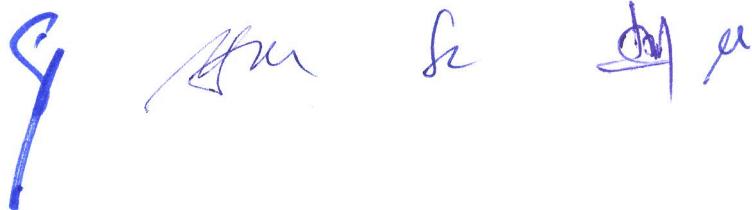
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Article 8: Customs Transit or Transfer Document

- a. The Corridor Member States hereby prescribe the Transit or transfer Document form for Customs transit or transfer operations used in any regional or sub regional common market to which any Corridor Member state belong in accordance with this Protocol;
- b. Transit or transfer Documents shall be valid for only one transit or transfer operation and shall consist of a sufficient number of copies for customs control and discharge required for the transit or transfer operation concerned.

Article 9: Customs security

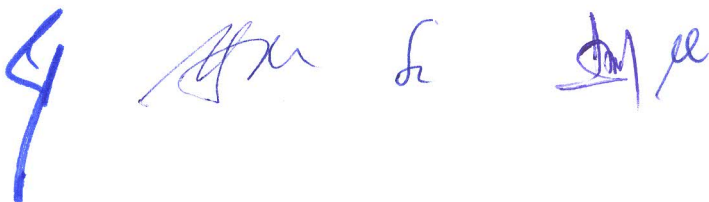
- a. All transit or transfer goods operations shall be covered by Customs Bond or other security arrangements;
- b. The Corridor Member States undertake to use and accept as Customs security for ensuring the fulfillment of any obligation arising under a Customs transit or transfer operation carried out under the terms of this Protocol, the Regional Customs Bond Guarantee Scheme of any customs grouping to which a Corridor Member state has ratified. Corridor Member States further undertake to use the Transit Carnet under use by a regional or sub regional common market to which a corridor Member state has ratified.
- c. This transit carnet shall be a security printed document that is used throughout the transit process as proof of a valid guarantee and satisfactory compliance with customs obligations within each transited jurisdiction;
- d. The amount of Customs security for a single Customs transit operation shall cover any import duties and taxes chargeable on goods so carried;
- e. Persons who regularly carry out Customs transit operations shall be entitled to lodge a general guarantee which shall be valid for a period of one year;



- f. Where persons have lodged a general guarantee, the Customs authorities shall not require a copy of the guarantee document issued by the guaranteeing institution to be presented on the commencement of a Customs Transit Operation unless they have doubts as to the validity of the details concerning the guarantee, but shall content themselves with the details of the guarantee given on the Transit Document for Customs Transit Operation;
- g. The liability of the surety to the authorities of a Corridor State shall commence when the Transit Document is accepted by the Customs Authorities.

Article 10: Obligations of the Corridor Member States

- a. The Corridor Member States agree to ensure that the liabilities undertaken by sureties over import or export or any interest thereon, and other charges and financial penalties incurred by the holder of a customs transit document, and any other persons involved in the transport transit operation, are duly discharged and that appropriate enforcement action is taken under the customs laws and regulations of the Corridor State in which the offence has been committed. The surety and the persons charged with an offence shall be jointly and severally liable;
- b. When the customs authorities of a Corridor Member State have unconditionally discharged a Transit Document, they may not subsequently claim from the surety payment in respect of the duties resulting from the operation covered by the document unless the discharge was obtained erroneously or fraudulently;
- c. Non-discharge of a Transit Document and claim for payment from the surety shall be notified within one year from the date such Document was taken in charge;
- d. The claim for payment of amounts due under paragraph (b) of this Article shall be made within a period not exceeding three years from the date of notification of non-discharge of the Transit Document or that discharged was obtained erroneously or fraudulently, provided however that if the period of three years referred to includes legal proceedings, the claim for payment shall be made within one year from the date when the decision of the court becomes enforceable.



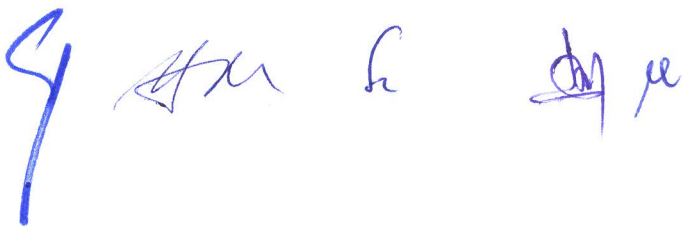
Article 11: Technical qualifications of sealable transport-units

- a. Transport-units which are intended to be sealed by the Customs for transport operations under this Protocol shall be approved for the transport of goods under customs seal in accordance with Annex III to Protocol 3 and shall be so constructed and equipped that:
 - i. Customs seals can be simply and effectively affixed to them;
 - ii. No goods can be removed from or introduced into the sealed part of the transport-unit without breaking the Customs seal or leaving visible traces of tampering;
 - iii. They contain no concealed space where goods may be hidden;
 - iv. All spaces capable of holding goods are readily accessible for Customs inspection.
- b. The Corridor Member States undertake to accept, without further approval transit transport-units approved by the competent authorities of other Corridor Member States and transport-units approved in accordance with an international instrument providing for the conditions and procedure for the approval of transport-units intended for the international transport of goods under Customs Seal.

Article 12: Customs Seals and Fastenings.

Customs seals and fastenings to be used in the application of Customs Transit or transfer shall comply with the minimum requirements laid down in Annex II to Protocol 3.

- a. Customs seals and fastenings affixed by Customs authorities of the other Corridor Member States or of a third country and which comply with the requirements in the Annex II to this Protocol shall be accepted for the purposes of this Protocol. Corridor Member States reserve the right, where such foreign seals and fastenings have been found insufficient or insecure or where their Customs authorities have proceeded to an examination of the goods, to affix their own seals and fastenings;



- b. Foreign seals and fastenings accepted under paragraph a of this Article shall be accorded the same legal protection as national seals and fastenings;
- c. The Corridor Member States shall provide each other with specimens of the Customs seals and fastenings they use for the purposes of Customs transit or transfer.

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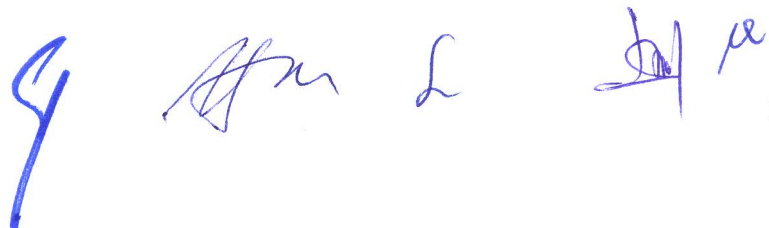
SECTION II: FORMALITIES TO BE FULFILLED AT THE OFFICE OF DEPARTURE

Article 13: Documentary Formalities

- a. The Declarant shall produce the goods to be conveyed under Customs transit or transfer, together with a Transit or transfer Document and the necessary commercial or transport documents to the Customs authorities at the Office of departure. A copy of the Transit or transfer Document will be kept at the Office of departure, pending the return of the copy mentioned in paragraph (a) of Article 16 of this Protocol, confirming that the goods have left the Member State territory;
- b. The Customs authorities at the Office of departure shall satisfy themselves that:
 - i. The Transit or transfer Document is duly completed;
 - ii. The goods declared for Customs transit or transfer are those specified on the Transit or transfer Document; and
 - iii. Where required, the guarantee is in order.

Article 14: Formalities relating to the use of Customs seals

- a. Where the goods are transported in a transport-unit meeting the requirements set out in Article 11 of this Protocol, the Customs authorities shall seal the transport-unit;
- b. In certain circumstances, Customs authorities may seal transport-units which have not been approved for the transport of goods under Customs seal when they are satisfied that the units when sealed, are sufficiently secure;
- c. Details of the Customs seals affixed and of the date of affixing shall be duly recorded on the Transit or transfer Document for Customs transit or transfer to enable the Office of destination to identify the consignment and to detect any unauthorized interference;

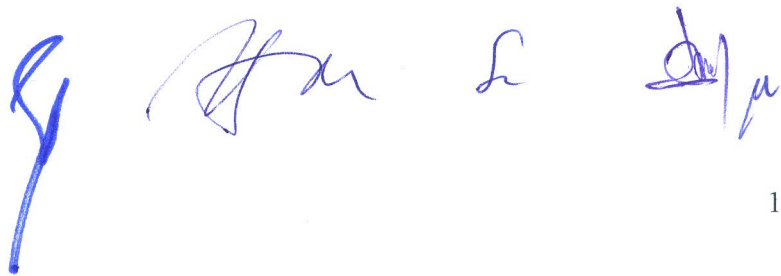
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- d. When the goods are conveyed in a transport-unit which cannot be effectively sealed, identification shall be assured and unauthorized interference rendered readily detectable, either by affixing Customs seals to individual packages, by affixing identification marks, by describing the goods, by reference to samples, plans, sketches or photographs attached to the Transit or transfer Document, by full examinations of the goods and recording the results thereof on the Transit or transfer Document, or by Customs escort.

Article 15: Additional control measures

Only when they consider such a measure to be indispensable will the Customs authorities:

- (a) Require goods consigned from or destined to the territory of another Corridor Member State to be transported under Customs escort while in the territory of that State; or
- (b) Prescribe a time-limit for the production of the goods at a specified Customs Office in their territory.

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SECTION III FORMALITIES TO BE FULFILLED AT OFFICES EN ROUTE AND AT
OFFICE OF DESTINATION

Article 16: Formalities of Offices en route

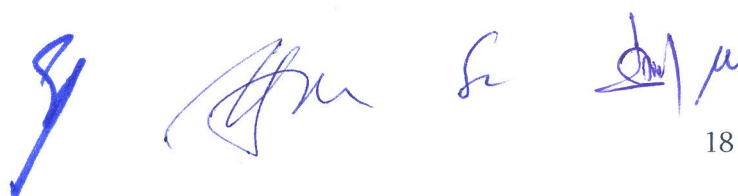
- a. At offices where goods leave the Customs territory, the Customs authorities shall satisfy themselves that any Customs seals and fastenings or identification marks are intact and, where appropriate, that the transport-unit is secure; they shall then endorse the transit or transfer Document accordingly, retain one copy and pass one copy on to the Office en route where the goods enter the subsequent transit or transfer country. Upon receipt of the latter copy, in accordance with paragraph b) below, they shall return that copy to the Office of departure, or – in transit or transfer countries – to the Office en route where the goods entered the Member State territory;
- b. At offices where goods are imported into the Member State territory, the Customs authorities shall satisfy themselves that the transit or transfer Document is in order, that any Customs seals and fastenings or identification marks previously affixed are intact and, where appropriate, that the transport unit is secure, and that the guarantee is in force, they shall then endorse the Transit or transfer Document accordingly, retain one copy and return one copy to the Office en route in the Member State territory from which the goods were imported;
- c. When an Office en route removes a Customs seal or identification mark, for example, when they are no longer considered to be secure, it shall record details of the new Customs seals or identification marks on the transit or transfer Document accompanying the goods.

Article 17: Formalities at the Office of destination

- a. At the Office of destination, the Customs authorities shall satisfy themselves that any seals and fastenings or identification marks are intact and verify that the transport-unit is otherwise secure. They may also carry out either a summary or a detailed examination of the goods themselves;

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- b. After having satisfied themselves that all obligations relating to the Customs transit or transfer operation have been fulfilled, the Customs authorities at the Office of destination shall endorse the Transit or transfer Document accordingly. They shall also send a copy of the Transit or transfer Document back to the appropriate Customs office so as to allow the authorities of the latter to take any action, documentary or electronic, necessary for the completion of the Customs transit or transfer operation.



SECTION IV: MUTUAL ADMINISTRATIVE COOPERATION

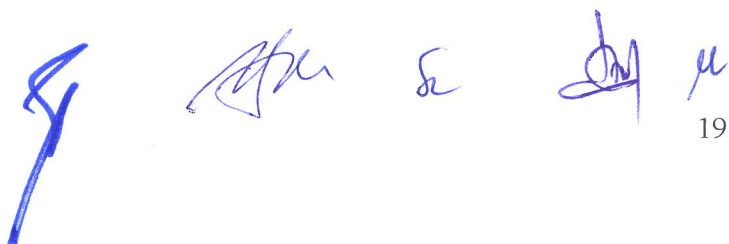
Article 18: Communication of Information

The Customs authorities of the Corridor Member States shall, on request, communicate to each other as promptly as possible:

- (a) Any available information relating to the Transit or transfer Document completed or accepted in their territory which is suspected of being false;
- (b) Any available information enabling the authenticity of seals claimed to have been affixed in their territory to be verified;
- (c) Any other relevant information pertaining to the movement of goods and means of transport.

Article 19: Notification of inaccuracies

The Customs authorities of the Corridor Member States shall, spontaneously and without delay, notify each other of any serious inaccuracy in a Transit or transfer Document or of any other serious irregularity discovered in connection with a Customs transit or transfer operation carried out under the provisions of this Protocol, in order that the matter may be investigated, any duties and taxes chargeable may be collected and any repetition of the circumstances may be prevented.

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SECTION V STORAGE FACILITIES

Article 20: Permission to store goods in Transit






- a. The Corridor Member States shall allow goods consigned from or destined to the territory of other Corridor Member States, to be stored in their territory, either in a temporary store or in a Customs warehouse, where such storage is necessary either after or before a Customs transit or transfer operation or at any stage in the course of such an operation, for example at a frontier post, for a period sufficient to enable the goods to be forwarded to their ultimate destination in a third country or to be placed under Customs transit;
- b. Storage is limited to a period agreed upon between Customs authorities. Goods not cleared at the end of the period are disposed of or destroyed in accordance with Customs laws and regulations in force where the goods were stored. The Customs authorities may order the disposal or the destruction of perishable goods at any moment if their present or expected condition at short term so justifies shall be given preferential treatment appropriate to their nature.

Article 21: Operations permitted for goods stored

- a. Stored goods shall be allowed by customs services to undergo normal operations necessary for their preservation in good condition. Such operations include cleaning, beating, removal of dust, sorting and repair or change of faulty packaging;
- b. Goods shall also be allowed to undergo normal operations necessary to facilitate their removal from their place of storage and their further transport. Such operations include piling, weighing, marking and labeling.

Article 22: Documents to cover storage

When arriving at the place of storage, goods shall be accepted in temporary store under cover of the commercial or transport document accompanying them, for example, a Cargo Manifest, Multimodal transport document, Bill of Lading, Air Waybill or a Transit or transfer Document for Customs transit or transfer. Goods placed in a Customs warehouse shall comply with the national Customs warehouse procedure.

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SECTION VI: MISCELLANEOUS PROVISIONS

Article 23: Priority to certain consignments

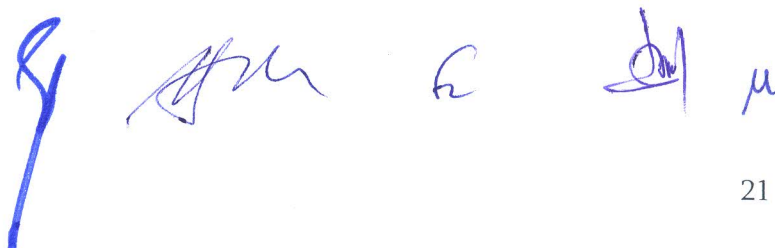
The Corridor Member States shall grant, at any Customs office where Customs clearance takes place during a Customs transit or transfer operation, priority to consignments consisting of live animals, perishable goods and of other urgently needed goods for which rapid transport is essential.

Article 24: Dangerous goods

Transport of dangerous goods under Customs transit or transfer shall be governed by the provisions of Protocol No. 10, to the Agreement on the handling of dangerous goods.

Article 25: Accidents

Accidents and other unforeseen events en route affecting the Customs transit or transfer operation shall be reported to, and verified by, the Customs or other competent authorities closest to the scene of the accident or other unforeseen event. In the event of an accident or imminent danger necessitating the immediate unloading in whole or in part of a means of transport the carrier may on its own initiative take such steps as may be necessary to ensure the safety of the goods being transported. The carrier shall as soon as possible thereafter inform the office of departure and the closest Customs office. The carrier will arrange where appropriate for the goods to be transhipped to other means of transport in the presence of Customs authorities concerned, or any other accredited local authority. The Customs authority or such accredited authority will endorse the Transit or transfer Document with the particulars of the goods transferred to the other means of transport and where possible apply the Customs Seal.

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Article 26: Exemption from payment

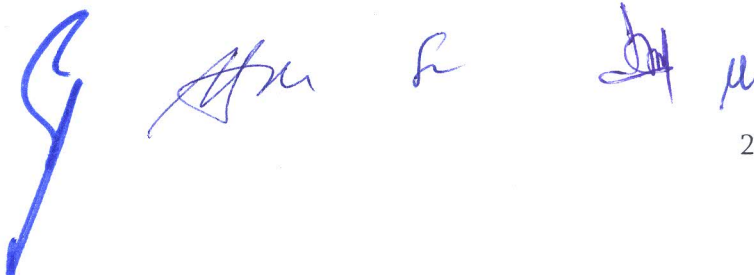
- a. The Corridor Member States shall grant exemption from the payment of the import duties and taxes normally chargeable, when it is established to the satisfaction of the Customs authorities that goods consigned from or to the territory of another Corridor Member State and being transported under Customs transit or transfer, have been destroyed or are irrecoverably lost by accident or by force majeure, or are short in quantity and volume for reasons due to their nature;
- b. Remnants of such goods may be:
 - i. Cleared for home use in their existing state as if they had been imported in that state; or
 - ii. Re-exported; or
 - iii. Destroyed or rendered commercially valueless and without expense to the Customs Authority ; or
 - iv. With the consent of the Customs authorities, abandoned free of all expenses to the Customs Authority.

Article 27: Review of the implementation of the provisions of this Protocol

Representatives of the Customs Administrations of the Corridor Member States, and of Stakeholders' Associations shall meet at least once a year or upon the request of a Corridor Member States or the Authority through its Secretariat to monitor the implementation of the provisions of this Protocol.

Article 28: Acceptance of transport units

Beside transport-units approved by their own competent authorities, the Corridor Member States undertake to accept, without further approval, transport-units approved in with international instrument listed in Annex III to the Protocol 3.

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PROTOCOL NO. 4

DOCUMENTATION AND PROCEDURES

Article 1: Application

Pursuant to Article 9 of the Central Corridor Transit Transport Facilitation Agency Agreement, the Corridor Member States agree to apply the provisions of this Protocol related to Documentation and Procedures, which is an integral part of the Agreement.

Article 2: Content of the Protocol

This Protocol contains provisions related to the documents to be used in the Central Corridor Transit Transport Facilitation Agency Agreement, and to international documents and standards relevant to transit trade and interstate transport within the Central Corridor Member States. It also lays down provisions for the procedures to be used, on the basis of other Protocols of the Agreement.

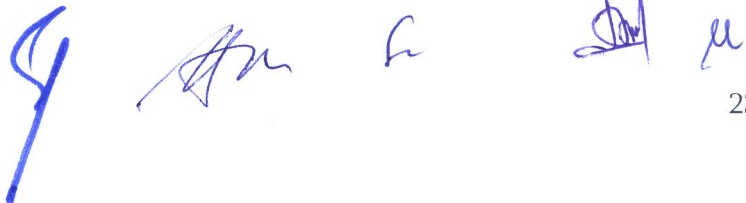
Article 3: Definitions

For the purpose of this Protocol the following expressions shall have the meanings hereby assigned to them:

“Customs Transit Declaration”: Means, a Statement made in a prescribed form by which the persons interested declare goods for Customs transit and furnishes the particulars which the Customs require to be declared for the application of a Customs transit operation;

“Run method”: Means the use of a reproduction process to transfer all or part of the road transport contract, the taking charge of the goods by the road carrier, and an undertaking by him to deliver the goods in accordance with the terms of the contract;

“Road Waybill”: Means a document issued for a road transport operation providing evidence of a road transport contract, the taking charge of the goods by the road carrier, and an undertaking by him to deliver the goods in accordance with the terms of the contract;

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“Rail Waybill”: Means a document issued for a railway transport operation Providing evidence of a railway transport contract, the taking charge of the goods by the railway carrier, and an undertaking by him to deliver the goods in accordance with the terms of the contract;

“Inland Waterways Waybill”: Means a document issued for an inland waterways transport operation providing evidence of an inland waterways transport contract, the taking charge of the goods by the inland waterways carrier, and an undertaking by him to deliver the goods in accordance with the terms of the contract;

“Pipeline Waybill”: Means a document issued for a pipelines transport operation providing evidence of a pipeline transport contract, the taking charge of the goods by the pipelines operator, and an undertaking by him to deliver the goods in accordance with the terms of the contract;

“Multimodal Transport Document”: Means a document which evidences a multimodal transport contract, the taking in charge of the goods by the multimodal transport operator and an undertaking by him to deliver the goods in accordance with the terms of the contract;

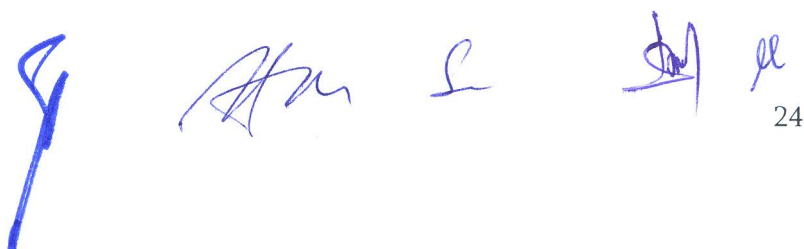
Article 4: Application of international standards

The Corridor Member States agree that any document introduced in connection within the Central Corridor Transit Transport Agency Agreement shall be based:

- a) In respect of paper size, on International Standard ISO 216-1975, with preference for the size A4 (210 x 297 mm); and
- b) In respect of design principles, on International Standard ISO 3535-1974, with line spacing of 4,24 mm (1/6 in) and character spacing of 2,54 mm (1/10 in) as the basic spacing.

Article 5: Alignment to the United Nations Layout Key

The Corridor Member States agree that documents used in connection with the Central Corridor Transit Transport Agency Agreement shall be aligned, to the extent possible and appropriate, with the United Nations Layout Key for Trade Documents.

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Article 6: Maritime Transport Documents

The Corridor Member States undertake to promote the use of internationally agreed simplified and non-negotiable transport documents, and to expedite the use of such documents, for example, Non-Negotiable Sea Waybills Single Original Bills of Lading, through Bills of lading and Blank-back forms.

Article 7: Rail Waybill

The Corridor Member States agree to accept the Standard Rail Waybill in use in each other respective territories for the inter-state and transit transport of goods by rail.

Article 8: Road Waybill

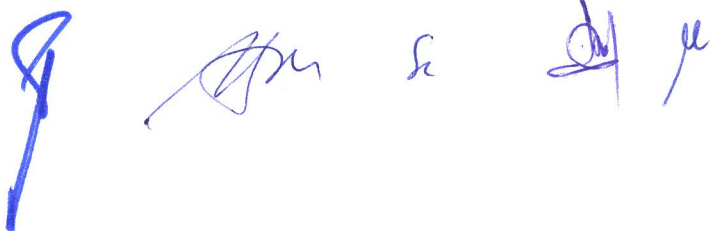
The Corridor Member States agree to accept the Road Waybill in use in each other respective territories for the inter-state and transit transport of goods by road.

Article 9: Customs Transit Declaration

- a. The Corridor Member States agree to introduce a Customs Transit or transfer Declaration form, as the single Customs document required to cover Customs transit or transfer operations by any transport mode or by a combination of these modes;
- b. The Customs Transit or transfer Declaration shall be completed in English or in French in as many copies as are required for the Customs transit operation concerned;
- c. Any commercial or transport document setting out clearly the necessary particulars shall be accepted as the descriptive part of the Customs Transit or transfer Declaration.

Article 10: Documents for Transport of Dangerous Goods

The Corridor Member States agree to accept documents established pursuant to the international conventions and agreements applicable to the transport of dangerous goods, and to promote the use of such documents for the use of Dangerous Goods Declaration for the transport of dangerous goods commencing in their territories.



Article 11: Acceptance of Commercial invoices for Customs purposes

- a. Where the presentation of the commercial invoice is required in connection with the clearance of goods in transit, transfer or in interstate trade, the Corridor Member States shall accept the commercial invoice pertaining to the consignment under transport as the sole document required for the purpose of supporting the Customs Transit or transfer Declaration;
- b. The Corridor Member States agree to implement measures, recommended by the World Customs Organization, by which they accept commercial invoices produced by any process, for example, by the one-run method or by means of computer or other automatic printers, on pre-printed forms or on plain paper provided that they are duly authenticated. They may waive the requirement for a handwritten signature on such commercial invoices.

Article 12: Presence of Documents on Vehicles

Copies of Customs Transit or transfer Declarations, Rail Waybills and Road Waybills and Inland Water Waybills shall be carried on the *vehicles* and shall be produced when requested by the competent authorities.

Article 13: Release of Goods without presentation of Original Transport Documents

The Corridor Member States shall allow goods to be released to the person entitled to take delivery, without requiring the presentation to Customs or other public authorities of a bill of lading or any other transport document, with the exception of cases when such authorities are responsible for goods in their custody and the production of a bill of lading, or a similar document conferring title to the goods, is required.

Article 14: Joint Operational Control of Traffic in Transit or transfer

The Corridor Member States agree to harmonize information system which, as far as practicable, shall be IT based, integrated and provide real time information, in order to exercise operational control of transit or transfer traffic, which shall include a Documents Centralization and Operations Co-ordination System for the monitoring of goods movements in ports and other places used for the transit, transfer or inter-state transport operation.

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Article 15: Selective Customs Examination

The Corridor States agree that Customs authorities shall carry out selective random controls of goods in transit or transfer at the offices of departure on the basis of the Customs Transit or transfer Declaration, on the basis of risk management principles.

Article 16: Priority for Traffic in Transit

The Corridor Member States agree to make arrangements so that vehicles carrying goods under a Customs transit or transfer document passing through their ports and other border crossing points need not await their turn among vehicles carrying goods which are not covered by such a document, provided that physical infrastructure at the border points concerned permit such arrangements.

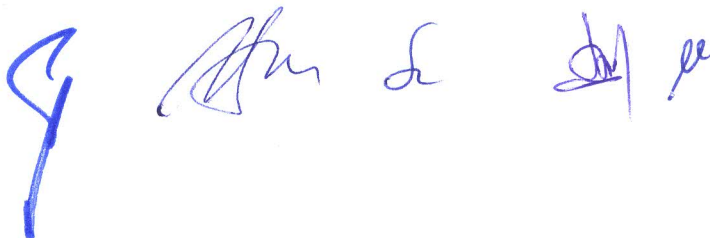
Article 17: Phytosanitary, Sanitary and Veterinary Controls

The Corridor Member States agree to harmonize their procedures for phytosanitary, sanitary, veterinary or similar controls, in order to avoid unnecessary delays due to repeated controls.

Article 18: Standardized Consignment identifiers

The Corridor Member States shall accept and agree to encourage the use of internationally agreed Standard Shipping Marks for identification of packages, and representation on documents, which are composed of:

- (a) Initials or abbreviated name;
- (b) Reference Number;
- (c) Destination; and
- (d) Package Number.

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Article 19: Further rationalization of procedures and documentation

- a. The Corridor Member States agree to promote simplification, rationalization and harmonization of administrative procedures related to trade, transport and transit operations taking into account relevant international recommendations and standards;
- b. The Corridor Member States agree to establish, as appropriate, national facilitation Committees, whose Members shall be drawn from public agencies as well as from the representatives of private sector stakeholder organizations. These committees shall act as focal points for the co-ordination of trade facilitation at the national and international levels.

Article 20: Review of the implementation of the provisions of this Protocol

Representatives of the National facilitating bodies, where they are in existence or other competent bodies of the Corridor Member States shall meet at least once a year or at the request of a Corridor Member State or the Agency through its Secretariat, to monitor the implementation of the provisions of this Protocol.

