

Standard Summary Project Fiche for the Transition Facility

Improving the operational and administrative capacity of the customs authority

1. Basic Information

CRIS Number:

1.1 CRIS Number: 2007/19343.05.01.

Twinning contract RO /2007-IB/FI/01
RO /2007-IB/FI/02

1.2 Title: Improving the operational and administrative capacity of the customs authority

1.3 Sector: Customs

1.4 Location: National Customs Authority, Bucharest, Romania

2. Objectives

2.1. Overall Objective:

Settlement of the integration capacity into EU Customs Union of the Romanian Administration in order to enable the achievement of full harmonisation with the EU Acquis and European Union best practices.

2.2. Project purpose:

Improving the administrative, operational and technical capacity of the customs authority in order to ensure the efficiency and transparency of the specific customs activities.

2.3. Justification

The projects proposed for Transition Facility for the Customs National Authority are based on the continuing need for improvements, in terms of organisation and activities, with a view to properly functioning in the new context of Romania's Membership.

These aspects were identified in documents that are of particular importance.

The project under Component 1 - "Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project" aims to solve the following issues raised in EU official documents in order to support Romania to be fully prepared for EU integration and to achieve the full compatibility of its computerised systems with the European Commission/DG TAXUD systems.

Council Resolution of December 5, 2003¹, which endorsed the Communication by the Commission on a simple and paperless environment for customs and trade² calls on Member States to ensure interoperability of customs systems in line with rules and standards to be agreed upon at Community level by introducing or completing interfaces between existing and planned national systems in order to bring about improved cooperation based principally on electronic data exchange between customs authorities, on the one hand, and between customs authorities and economic operators, on the other.

¹ OJ No C 305, p. 1.

² COM (2003) 452, 24.07.2003.

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The proposal for a Decision on the implementation of a paperless environment for customs and trade (Electronic Customs Decision)³ calls on the Commission and the Member States for the setting up secure, integrated, interoperable and accessible electronic customs systems for the exchange of customs declarations, electronic certificates, accompanying documents and other information. The Electronic Customs Decision contains actions and deadlines for the implementation of accessible and interoperable electronic customs systems.

EC Regulation No.648/2005 amending Council Regulation (EEC) establishing the Community Customs Code 4 provides for electronic summary customs declarations and the electronic exchange between customs administrations. According to the EC Regulation No.648/2005, electronic declaration and automated systems for the implementation of risk management and for the electronic exchange of data between customs offices of import, entry, export and exit, are required to be in place three years after the date of entry into force.

The proposal for a modernised Customs Code⁵ streamlines customs procedures and lays the foundations for accessible, interoperable customs clearance systems at EU levels. It incorporates the security related changes to the Customs Code introduced by the EC Regulation No.648/2005 and further integrates and consolidate these changes taking account of the electronic declarations, electronic exchanges of data between customs authorities.

May 2006 Comprehensive Monitoring Report on Romania⁶ emphasizes that NCA must maintain the pace of progress in preparing the remaining IT systems for interconnectivity upon accession, and should maintain its fight against corruption as its top priority, also by extending to all customs offices the existing IT tools for random allocation of officers to physical and documentary controls. Training at all levels within the customs administration should continue.

Also, the May 2006 Comprehensive Monitoring Report on Romania mentions that Romania should continue increasing its efforts to strengthen the collection and control capacity of the tax administration, with particular regard to excise duties and direct taxation.

As concerns the improving of the competencies for the customs staff, both at central and territorial level, the May 2006 Monitoring Report on Romania mentions that, even NCA has made significant progress on strengthening its administrative and operational capacity, training at all levels within the customs administration should continue.

Also, the 2005 Comprehensive Monitoring Report for Romania recommends increased efforts are needed to strengthen the administrative and operational capacity of the NCA. Additional efforts are needed to cover all officials and all customs rules and procedures, including basic customs procedure and to guarantee their uniform application.

Furthermore, the Commission's Strategy for the Customs Union - which provides the framework for implementing measures to modernise Customs- aims to ensure that customs authorities (including those of the candidate countries) are in a position to meet their obligations in a changing world. That is why actions have to be focused, inter alia, on improving the application of legislation and improving training for customs officers and for traders.

³ COM(2005) 609 final was submitted by the Commission to the Council and the European Parliament on 30 November 2005 and is anticipated to enter in force during 2007.

⁴ Regulation (EC) 648/2005 amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code, OJ 2005 No L 117, p. 13.

⁵ The proposal for a Regulation to modernise the Customs Code COM/2005/608 was submitted, simultaneously with the proposal for an Electronic Customs Decision, to the Council and the European Parliament on 30 November 2005.

⁶ COM (2006) 214 final

In the light of the above mentioned aspects, one of the objectives of this transition facility programme fiche seeks to strengthen the NCA by further development of its procedures, working methods and, on that basis, to further build up its training capacity.

3. Description

3.1. Background and justification:

The rapidly accelerating process of change towards the implementation of EU legislation in the field of customs has a major impact upon the institutional capacity of the NCA. Today Customs is facing new challenges: it must ensure the smooth flow of trade whilst applying necessary controls and protecting the health and safety of Community's citizens.

These are sound reasons for which the key issues to be managed have to lead to the conclusion and to ensure that the Romanian Customs Authority has the capacity to respond with maximum effectiveness and efficiency to the change process. Each of the components identified in this programme fiche relates to and addresses priorities mentioned in strategic documents.

General background and current situation for the Romanian National Customs Authority

1) IT systems

Through the implementation of the Strategy of the Romanian Customs IT Development and in accordance with DG TAXUD inter-operability strategy, the NCA has achieved the following steps in ensuring the consistent inter-operability of the ICIS components with the EU systems:

a) NCTS

The National Transit System, fully compatible with the NCTS., integrated into the ICIS environment and interoperable with the EC and EU Member States systems over the CCN/CSI, is implemented and functional at HQ and at all customs offices dealing with road traffic.

Romania is part to the Convention on Common Transit and the New Computerised Transit System (NCTS) is operational since 2nd January 2006.

Maintenance of a permanent connection with the similar structures from the convention on Common Transit of signatory countries as well as to the delivery of a permanent assistance to the economic operators and the customs officers involved in using the system is ensured by the NCTS Helpdesk.

b) TARIC

The Romanian Integrated Customs Tariff (TARIR), fully Compatible with TARIC" is fully operational at HQ and regional level, Asycuda and Asytar Interface and the reference data used is TARIR/TARIC, following EU Regulations and new National legislation.

Since 18th June 2006 Romania is using in the clearance process information for national TARIR database with the view of TARIC measures.

Maintenance of a permanent connection with the similar structures of DG TAXUD and delivery of permanent assistance to the economic operators and also to the customs officers involved in using the system is ensured by the Taric Help Desk Office.

c) Integrated Tariff Environment

In order to ensure the consistent inter-operability of the ICIS components with the EU systems, in accordance with DG TAXUD inter-operability strategy, the NCA developed and implemented an Integrated Tariff Environment. National Application for TQS and Surveillance were

implemented and Remote Conformance Tests were successfully performed with DG TAXUD test environment. Also, additional National Applications for ISPP, EBTI, SMS were implemented and connections done for ISPP, EBTI, SMS, Surveillance DG TAXUD Web Light Clients Applications

The NCA is ready to interoperate with the DG TAXUD databases, as per the DGTAXUD interoperability requirements. The actual implementation of TQS and Surveillance applications at the National level is ready to connect and interoperate with DG TAXUD production environment.

2) NCA's Human Resources and Training aspects

NCA has taken important steps through setting up an effective organizational framework. The NCA has rebuilt itself in line with EU standards and a new NCA organisational structure is in place starting with the beginning of 2007.

Also, major results under the above mentioned Phare 2004 programme were the drawing up of the Strategy on Human Resources for Customs for 2007-2009 and, respectively, the Training Strategy of customs staff for the same period (with the corresponding Action Plan).

3) NCA's Excise aspects

Tax legislation regarding the excise duty is, to a large extent, already harmonized and Romania has accepted integrally the *acquis communautaire* in this field and has committed itself to take necessary measures for its implementation by the customs management.

The legal provisions regarding the excise duty are important for the fiscal stability, by instituting precise rules, coherent, compatible with the *acquis* and stable which to determine a real competition and attracting and stimulating the investors, including by implementing the UE measures in excise matter, of which principles Romania has committed to accept, totally, from the accession, in accordance with the EU policies. The Code of conduct for excise duty has been taken in consideration on drawing up **the renewal Fiscal Code**, wholly updated, entered into force on January 1st, 2007.

The fundamental objective of the Fiscal Code⁷ is to approximate the EU tax legislation, as well as to ensure conformity with the international tax agreements which Romania is part of. This code comprises a number of improvements of the legal framework in areas, such as: profit tax, income tax, excise duties, tax on the small enterprises' revenue, taxation of the foreign companies' representations set up in Romania and small producers.

After the adoption of the Fiscal Code, any amendment or completion of tax regulations can be promoted only by measures of amending and completing the Fiscal Code Law. This principle will ensure legal stability necessary to develop any business plan on long and medium term.

The Methodological Norms for the application of Fiscal Code⁸ develop specific regulation for any type of tax. The methodological norms detail the Fiscal Code provisions, through mentions and exemplifications regarding the taxpayers liable for the tax payment, the manner of calculating for each type of tax, the payment deadlines of these contributions, as well as the taxpayers' obligations of statement.

⁷ Law no.571/2003 regarding the Fiscal Code was published in the Official Journal no.927/2003 and was updated by Law no.343/2006 published in the Official Journal no.662/2006

⁸ Methodological Norms for the application of Fiscal Code were approved by Government Decision no.1.861/2006, published in the Official Journal no. 1044/2006.

This **Fiscal Procedure Code**⁹ regulates the rights and obligations of the parties at tax judicial reports regarding management of the taxes and duties owned to the State budget and local budget, foreseen by the Fiscal Code and also provide the sanctions and the related penalties.

The National Customs Management has been consolidated by establishing the Division for the management of the excise movements' surveillance, under the Government Decision no.1.552/2006. This division started to operate from January 1st, 2007.

In order to improve the excise management to NCA, all the divisions from the central and regional level, involved in the excise management were re-organized under a single co-ordination, within a single department. A director general coordinator of the department has been appointed. The number of NCA personnel has been reorganized, for establishing and consolidating certain structures which would lead to a better management of the public finances, especially for improving the excise management.

The consequences of this unification will be materialized into the reduction of the administrating costs, the elimination of parallel procedures, and the unification of the IT and data base management related to the payments obligations and to the amounts paid by the taxpayers.

Among the new Division for the management of the excise movements' surveillance responsibilities, it is also included the management and coordination of the internal and intra-Community information exchange regarding the excise duties (ELO office), an unit involved in methodological development of the legislation required, the Unit for authorising the warehouse-keepers and guarantees, an unit which is responsible with surveillance of the fiscal warehouses and Helpdesk for EMCS.

All these structural changes in the customs structures were made in order to increase the efficiency of the excise management activity and to develop and support the partnership with the taxpayers.

Recommendations for future developments

In order for the Customs Union to function correctly, it is essential that all the Member States (MS) of the EU apply legislation for imports and exports correctly and uniformly. As a future EU Member State, Romania will need to have in place IT customs systems able to interface with a number of IT Customs systems within the European Community. Member States have committed themselves to action within the framework of e-Europe and e-government environment¹⁰.

The Council Resolution of December 5, 2003, which endorsed the Communication by the Commission on a simple and paperless environment for customs and trade⁸, called for a multiannual strategic plan for the creation of a European electronic environment, consistent with the operational and legislative projects and developments already scheduled on underway in the areas of customs and indirect taxation.

⁹ Government Ordinance no.92/2003 regarding the Fiscal Procedure Code was published in the Official Journal no. 941/2003 and updated with Government Decision no. 35/2006.

¹⁰ Communication from the Commission to the Council, the E.P, the EESC and the CoR on "the role of e-Government for Europe's future' 26.09.2003, COM (2003) 567.

⁸ Communication on the creation of a more simple and paperless environment for customs from the Commission to the Council, the European Parliament and the European Economic and Social Committee of 24 April 2003 - [COM(2003) 452 final - Official Journal C 96/2004) proposed to make procedures and controls more efficient by simplifying customs legislation and making better use of electronic tools in customs procedures

The Electronic Customs Multi-annual Strategic Plan (MASP)¹², drawn up by the Commission in close co-operation with Member States, provides the basis for programming the implementation of the proposal for the proposed Electronic Customs Decision and establishes a plan which aims at establishing a list of implementation actions and relating to the "electronic customs initiative", a detailed timetable and the timing overview and electronic customs systems and projects sequence.

The Community Customs Code¹³, already containing a number of rules relating to electronic customs, has been recently modified with a view to increase security at the external borders¹⁴, by introducing a number of measures to tighten security around goods crossing international borders leading to faster and better-targeted checks.

Also, following to the Council Resolution of 5 December 2003, the European Commission has adopted in 2005 two proposals to introduce an electronic, paper-free customs environment in the EU and to modernise the EU Customs Code.

The proposal for a Decision on the implementation of a paperless environment for customs and trade¹⁵ (Electronic Customs Decision) has in view the setting up, secure, integrated, interoperable and accessible electronic customs systems and provides for simplifying customs procedures and processes, and for interoperable customs systems, Electronic Customs Decision sets out the list of the customs systems and databases and the timetable, actions and deadlines for the implementation of automated customs service by the Member States¹.

The proposal for a modernised Customs Code¹⁶ also supports wider moves towards e-governance and the shift to a paperless environment for customs and trade and provides for ensuring security in the movement of goods. The proposal incorporates the amendments provided for in the Regulation to improve the security and safety of goods crossing Community borders that the Council and Parliament adopted in 2005.

For the implementation of the DGTAXUD E-customs Strategy, the National Customs Authority IT systems will need to be able to meet the requirements of the Commission/DG TAXUD foreseen in the Multi Annual Strategic Plan (MASP) as well as the functional and technical requirements.

Also, the Government Programme for 2005-2008 stipulates in Section C "Customs system" the measures which the Government of Romania is taking on the Romania's customs policy, which are starting from the basic functions of the customs institution in the context of Romania's accession to the European Union.

In this respect the Government Programme emphasizes that the existent dysfunctions are to be addressed by accelerating the measures for institutional and legislative-procedural reform, namely through the proper recruitment and training of the customs staff as well as the setting up of a high professional customs staff. Also, it is stated that it is necessary for the customs authority to have a taking over of new competencies related to the management of other taxes categories, especially the excise duties which will lead to an increase of the degree of these tax collection through removal of additional administrative structures.

¹² Working document TAXUD/477/2004 Rev.7

¹³ Regulation (EEC) No 2913/92, OJ 1992 No L 302, p. 1.

¹⁴ Regulation (EC) 648/2005 amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code, OJ 2005 No L 117, p. 13.

¹⁵ Proposal for a Decision of the European Parliament and the Council of 30 November 2005 on the implementation of a paperless environment for customs and trade COM/2005/609

¹⁶ The proposal for a Regulation to modernize the Customs Code COM/2005/608

The Government Decision no. 532/ 30.05.2007 concerning the new organisation and functioning of the National Customs Authority was approved and is in force. This Government Decision was published in Official Journal of Romania no.405/ 18.06.2007. According to the respective normative act the 8 regional customs directorates became 8 regional directorates for excise and customs operations which have in their structure 41 county directorates and Bucharest directorate for excise and customs operations, inland customs offices and, respectively, border customs offices.

Referring to the above mentioned Government Decision, the National Customs Authority has at present clear responsibilities on the excise management:

- implementation in the excise field of the specific measures resulted from the governmental programmes and from the excise regulations and other dispositions applied to the goods under customs and fiscal surveillance for excise or submitted to the customs and fiscal control for excise;
- organisation and control of the activity of regional directorates for excise and customs operations, of the county directorates and Bucharest directorate for excise and customs operations, of the inland customs offices and, respectively, of the border customs offices;
- proposal of measures concerning the improvement of activity of collecting and levying of the revenues coming from the excisable goods and, respectively of strengthening the control capacity in completing the circuits of the excisable goods movement;
- control of means of transport loaded or suspected to be loaded with goods submitted to harmonised excise which are in intra-Community movement;
- responsibilities concerning special measures referring to the surveillance of production, importation and circulation of certain excisable products;
- organisation and specialised assistance given to the taxpayers in the field of circulation of excisable goods.

The twinning component «Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority» proposed by the National Customs Authority is absolutely necessary in the next period for a good carrying on of the activity in the field of excise.

NCA targets for the post-accession period

Component 1 – “Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project”

Considering the requirements settled through the E-customs Strategy regarding the IT systems, the NCA will continue the process to complete the interoperability with DGTAXUD systems and to improve the availability and continuity of the IT system connected to corresponding DGTAXUD IT systems.

The project component will assist the NCA to continue the development of IT systems related to the interconnectivity with the EU systems and the development and implementation of the national IT modules to ensure the compatibility with the EU IT system associated to the ‘paperless’ principles (MASP), as follows:

1.1. “Continuing the development of IT system related to the interconnectivity with the EU systems”

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In order to assure the effective maintenance of the Romanian TARIC (TARIC-RO) (legal provisions, customs tariff – taxes and duties, tariff preferences, preferences, documents needed for customs clearance, restrictions/quotas etc.) and also its dissemination to the customs operational staff and the Trade community, the Romanian TARIC Management System will be developed in the context of IT environment of ICIS (Unix, Oracle) and implemented in accordance with DG TAXUD TARIC 3 functional and technical requirements..

The project will ensure the reconfiguration and adaptation of TARIC-RO and Tariff related systems to the new requirements for the functioning of the Integrated Community Tariff – TARIC 3 and the associated systems and for the integration of the related regulations within the Automated Customs Declaration Processing System and will ensure their connection to the production environment of the corresponding systems of DG TAXUD and the (ITMS) internal data exchange.

1.2. "Updating the Romanian Customs Declaration Processing System (RCDPS) in accordance with the requirements of the AIS at the national level"

The project will assist the NCA to adapt the Romanian Customs Declaration Processing System in order to meet the functional and technical DGTAXUD requirements related to Automated Import System (AIS) at the national level.

1.3. "Development and implementation of the NCTS Security and Safety Aspects and of the NCTS/TIR at the level of NCTS customs offices"

The project will ensure the development and integration into the Romanian NCTS of the following:

A. Security and Safety features arising from the security amendment of the Modernise Customs Code, as well as from its implementing provisions, at the level of NCTS customs offices, in accordance with the DG TAXUD requirements.

B. NCTS/TIR application at the level of NCTS customs offices, in accordance with the DG TAXUD requirements.

Component 2 – "Improving the competencies for the customs staff both at central and territorial level"

The project component will consolidate and develop a complete and unitary customs training system by improving the ability of customs staff to perform its tasks after enlargement, taking into account the EU standards for civil servants specific career.

The component is intended to build on progress already made on the training and guidance received from the customs administrations of some Member States through the twinning process.

Training is an essential element in ensuring a uniform approach on the implementation of the legislation and the work on the development of modern training tools must continue as well as the enhancement of training in the new areas of customs responsibilities.

Component 3 – "Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority"

The project component will assist the NCA with the taking over of the excise management activity, having in view the following steps:

- a) Fiscal surveillance of warehouses

- b) Authorising the fiscal warehouses, the fiscal warehouse keepers and other categories of trade agents which are authorised according to the Fiscal Code
- c) Taking over of the Excise Liaison Office (ELO) - SEED
- d) Management of the accompanying administrative document (AAD)
- e) Fiscal inspection

3.2. Linked Activities

NCA's efforts to strengthen its administrative and operational capacity have begun to bear fruits. Significant progress has been made, also through the consistent support provided by the Phare programmes.

1. Implemented EU Phare National Support Programme Assistance

1. *Twinning Project RO0006.04 - "Improving of the revenue collection"*, in collaboration with Agencia Tributaria of Spain, offered support to the Ministry of Public Finance on the organization and management of the revenues collection system..

2. *RO-2002/000-586.04.03 - "Connection of the IT Integrated Customs System to the EU systems"* provided support for the achievement of full compatibility and inter-operability of the Romanian Customs systems with the EU systems, enabling the exchange of computerised data between the Romanian Integrated Customs Information System (ICIS) and the European Commission and the EU Member States systems.

The project component *"Preparation of NCA systems for the connection with the DG TAXUD databases"* assisted the NCA in the development and implementation of an Integrated Tariff Management System (ITMS) and ensured the consistent inter-operability of the ICIS components with the EU systems, in accordance with DG TAXUD inter-operability strategy.

Through the project component *"Completion of the preparation for adhesion to the Common Transit Convention and implementation of NCTS at the level of the National Customs Authority"* the National Transit System, fully compatible with the NCTS Phase 3.2., integrated into the ICIS and interoperable with the EC and EU Member States systems over the CCN/CSI, was implemented and is functional at the level of 78 customs offices dealing with road traffic.

The project component *"Completion of the Implementation of the Romanian Integrated Customs Tariff (TARIR), fully Compatible with TARIC"* supported the NCA to finalise the implementation of a fully TARIC system in Romania compatible with EU TARIC and its integration into ICIS and the operational customs environment.

Through the project component *"Connection of RGCA systems with the CCN/CSI system"* the NCA was assisted in achieving the connection of Romanian ICIS with the CCN/CSI system, enabling the use of a coherent method of access by the applications operated by the NCA using the CCN/CSI interface, in order to be connected to the EC systems managed by DG TAXUD.

3. Within the 2002 PHARE National Programme, the Ministry of Public Finance benefited of the following twinning projects:

- *RO 2002-586.03.04.08 - "Setting up the procedural and methodological framework in view of the arrears' diminution, as well as using other modalities for the budgetary debts' extinction"*;
- *RO 2002-586.03.04.09 - "Strengthening of the fiscal control function within the Ministry of Public Finance"*;
- *RO 2002-586.03.04.12 - "Strengthening and developing the State revenues administrative capacity"*.

4. RO 2002-586.03.04.11 - "Increasing the tax collection level by improving taxpayers' voluntary compliance, by building the internal capacity of the MoPF to develop by itself information, communication campaigns and a modern taxpayer assistance activity" - technical assistance project.
5. 2004/016-772.05.01.02 - "Update of the Romanian Customs Declaration Processing System in accordance with the Commission Regulation (EC) No.2286/2003" provided technical assistance support to the NCA for updating the Romanian Customs Declaration Processing System in accordance with EC Regulation 2886/2003 and complies with the EU requirements in the Customs Sector, concerning the new EU SAD.

II. Ongoing and/or starting projects in the near future for National Customs Authority

1. *The Multi-annual Programme Phare 2004-2006 for Border Management Sector* having as main outputs the development of an Integrated Border Securing System, a thorough enhancement of the knowledge, skills and abilities of RBP officers in a whole range of border control and surveillance responsibilities, and the development of a data exchange system at the operational level between the RBP, NCA and (i) similar national institutions, and (ii) similar agencies from neighbouring countries.

The Task "Enhancement of the National Customs Authority operational capacity in line with the EU e-customs concepts" aims to set up and operate secure, interoperable and accessible electronic customs systems which are intended to improve and facilitate supply chain logistics and customs processes. These electronic customs systems aim at making customs clearance more efficient, reduce administrative burdens, facilitate trade, increase safety of goods and security of international trade, and enhance environmental and consumer protection.

Through the components Automated Import System including Import Control System, Automated Export System including Export Control System, Risk Management Framework, Customs Information Portal, Economic Operator Authorisation, Single Window, the following main results will be achieved:

- a) Methodologies and working procedures approved and applied referring risk management framework (RMF), import control system (ICS), registration system for traders, common customs information portal and single electronic access point
- b) Organizational procedures for using electronic signature
- c) Technical specifications drafted for the necessary IT equipments to sustain the functionality of the new e-Customs component
- d) Import Control System (ICS) implemented to permit the:
 - exchange of electronic data between customs administrations
 - electronically declaration of goods for import by the authorized economic operators, without transit to the place where the trader is established
- e) Required interconnectivity and interoperability possibilities between the national risk systems
- f) Developed specific databases for unique electronic registration of economic operators involved;
- g) Developed specific interfaces to allow the communication and exchange of information with related databases referring all the inter-operable databases across CCN/CSI
- h) Necessary interfaces implemented to sustain interconnectivity and interoperability with EU systems (RMF, ICS, AEO)
- i) Customs information portal operational to allow standardizing and bundling all information of the member States and the Community which is needed for import and export transactions and make it accessible to traders at the same website
- j) Full tested of the new components to fulfill the compliance with EU requirements.

2. *The Multi-annual Programme 2004-2006 "Further Institution Building of the Romanian Ministry of Public Finance and Court of Accounts"* aiming to properly improve the efficiency of the activity of the Ministry of Public Finance by development and of the IT infrastructure. It aims for support in further implementation of the IT strategy of the Ministry of Public Finance, in order to enlarge the electronic taxpayer assistance, to implement a unique procedure to submit and process unified electronic forms of declarations from the taxpayers and contributors, to achieve full inter-operability with the IT systems of EU Member States in the field of taxation and EU budget, to integrate the IT system supporting the activities of MoPF and to develop the IT inter-operability with the National Customs Authority.

Within in the Multi-annual Programme 2004-2006, Phare 2005 Project "Continuing the implementation of the IT strategy", the NCA beneficiaries of technical assistance under the on going project *Phare 2005/017-553.03.01.03.05 "Enhancement of the integrated web environment in accordance to the EC specific customs system and the national components - Development and implementation of the national control export system (ECS)"*. The project is actually on going and will assist the NCA in the development and implementation of the ECS – Phase 1.

3. *The twinning project RO04/IB/FI-07* (ongoing) with UK assistance "*Assistance to the National Customs Authority for the improvement of human resource policies including training and ethics*" aims to strengthen the Human Resource policies including training and ethics. The project focuses on: developing an effective human resources management system which supports the achievement of the Romanian Customs Authority's objectives; developing a training service which fully and autonomously supports the business strategy. The project contains also a special component dedicated to the development of a coherent ethics management that ensures all staff observe the rule of law and perform their duties in a professional, fair and honest manner

4. Within the *Multi-annual Programme 2004-2006* - sector Public Finance managed by the Ministry of Public Finance, the *twinning project RO2004/IB/FI-01 - "Completing the harmonization of tax legislation and strengthening of the fiscal management"* is on going in collaboration with Agencia Tributaria of Spain.

5. Referring to the IT specific developments and interoperability with the EU systems (SEED & EMCS) the first phase (SEED) of the technical assistance project "*Establishment and implementation of the IT structures regarding the administrative cooperation with the other Member States*" (SEED RO 2004 016-772.03.01.03.02 and EMCS 2005) was launched.

III. Other EU relevant programmes for National Customs Authority

2000 Cross Border Co-operation Programme (Romania and Bulgaria) addresses the harmonization of border procedures and the exchange of information between the Romanian border control agencies and their Bulgarian counterparts. The main objective is to facilitate the border crossing of the Danube and increase the efficiency of border controls.

Joint PHARE/UNDCP Drugs Fight Programme (Phase 1) focused on countering the drugs demand and supply. Benefiting countries are: Romania, Bulgaria and FYROM. The programme implementation period was foreseen for 1999-2001.

The Conference on Customs co-operation at the borders between the EU and Phare countries and the New Independent States (1999 – 2001) introduced working groups at geographical level in order to consolidate regional contacts between Customs, Border Police and other relevant services, and to develop reference documents on cross border co-operation.

IV. Other donors for National Customs Authority

Specialized training to strengthen the operational capacity of the NCA was provided by the French Customs Administration under French bilateral co-operation programmes

All the projects programmed under the Transition Facility Programme will be developed by correlating and completing the results/conclusions of the above-mentioned projects in order to improve the Tax Administration capacity and the public finance system.

3.3. Results

Component 1 – “Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project”

1.1. “Continuing the development of IT system related to the interconnectivity with the EU systems”

1. TARIC-RO, existing Tariff related systems updated/developed in accordance with DG TAXUD technical and functional specifications relating to TARIC 3, Quota 2, ECICS 2, EBTI 3, etc, interfaced with CDPS and others ICIS components, tested and integrated into ICIS environment.
2. TARIC-RO, Tariff related systems, CDPS databases updated/developed in conformity with of the TARIC 3, Quota 2, ECICS 2, EBTI 3, etc, databases structure;
3. Calculating module updated/developed, tested and integrated into the new operational environment;
4. The updated TARIC-RO and updated Tariff related systems, interfaces between them and interface with the CDPS, tested;
5. TARIC-RO, Tariff related systems tested in accordance with DG TAXUD testing requirements and with requirements of the CCN/CSI environment;
6. TARIC-RO, Tariff related systems, CDPS, Calculating module with the newly updated/developed TARIC 3, Quota 2, ECICS 2, EBTI 3, etc deployed, implemented and fully operational on 01.11.2009 for TARIC 3, 01.12.2008 for Quota 2 ;
7. Customs staff (50 customs officers and 20 IT personnel) selected, trained and evaluated as trainers;
8. Corresponding manuals for the customs staff and traders produced and disseminated;
9. Five (5) sessions of conference organised for the traders involved in the customs operations;
10. TARIC HelpDesk personnel trained and evaluated;.

1.2. “Updating the Romanian Customs Declaration Processing System (RCDPS) in accordance with the requirements of the AIS at the national level”

1. RCDPS updated/developed and interfaced with Summary Declaration Component, Control Management Component and Security Risk Assessment Component;
2. RCDPS piloted in order to cover the interactions with Summary Declaration Component, Control Management Component and Security Risk Assessment Component and tests successfully passed as to cover the common functionalities with the respective components;
3. Corresponding manuals elaborated and disseminated for the NCA staff (e.g. Installation Software Manual, Users Manual, System Administrator Manual);
4. Customs staff (20 customs officers and 10 IT personnel), trained and evaluated as trainers;

5. Two (2) conferences organised for the Trade Community representatives participating to import operations, in order to ensure the preparedness of the end users to use the new system;
 6. AIS HelpDesk, three level consolidated to solve the occurred problems during the system running.
- 1.3. *"Development and implementation of the NCTS Security and Safety Aspects and of the NCTS/TIR at the level of NCTS customs offices"*

A. NCTS/TIR

1. NCTS/TIR developed in conformity with DGTAXUD functional and technical specifications,
2. NCTS/TIR tested and integrated into Romanian NCTS;
3. Romanian NCTS with the developed NCTS/TIR functionalities, implemented and fully **operational on 01.07.2008** at the level of NCTS customs offices;
4. Customs staff (40 customs officers and 20 IT personnel) selected, trained and evaluated as trainers;
5. Corresponding manuals for the customs staff and traders produced and disseminated;
6. Two (2) conference sessions organised for the participants to the transit operations;
7. NCTS Helpdesk personnel trained and evaluated.

B. NCTS – Security and Safety Aspects

1. NCTS – Security and Safety Aspects, developed in conformity with DGTAXUD functional and technical specifications, integrated into Romanian NCTS;
2. NCTS – Security and Safety Aspects Mode 0 Tested in order to cover all functionalities related to paperless transit document, including guarantee, and inquiry procedure;
3. NCTS – Security and Safety Aspects Mode 1, Pre-Conformance and Actual Conformance Tested in accordance with DG TAXUD testing requirements and with requirements of the CCN/CSI environment;
4. Romanian NCTS with the newly developed Security and Safety Aspects, implemented and fully **operational on 01.07.2009** at the level of NCTS customs offices;
5. Customs staff (30 customs officers and 10 IT personnel) selected, trained and evaluated as trainers;
6. Corresponding manuals for the customs staff and traders produced and disseminated;
7. Two (2) conference sessions organised for the Trade Community involved in the NCTS operations;
8. NCTS Helpdesk personnel trained and evaluated;

Component 2 – "Improving the competencies for the customs staff both at central and territorial level"

1. Training packages adapted to the NCA's new structure designed and delivered, in line with EU requirements;
2. A programme for multiplying the effects of the "core" training designed and approved (cascade training);
3. 3 workshops organised for high, middle management and executive level in the field of managing the processes of changes (50 persons);

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4. 40 Managers prepared in the field of identifying individual and group training and development needs;
5. A post-implementation programme designed and integrated into the customs training system to evaluate the impact of the training programme already delivered;
6. Preparedness achieved on the benefits of regular updated training to the customs officers in order to deliver a long term career planning and a professional development system;
7. E-learning system re-launched and up-dated by including new training materials and new modules on the customs platform;
8. Standards elaborated for evaluating the trainers performances and the efficiency of training activities and integrated into the customs training system;
9. Methodology for selecting and train the trainers, elaborated and integrated into the customs training system.

Component 3 – “Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority”

1. Amendment proposals related to the excise specific legislation (level 2 and 3) adapted to the customs specific environment, approved;
2. Proposals for Fiscal Code updating procedures, applied on biannual basis, related to the excise field;
3. Proposal for adjustment of the organizational chart, information flow, methodologies and working procedures, approved;
4. Proposal for adjustment of the attributions and responsibilities approved for the specific structures in the field, at central and territorial level;
5. A complete organizational chart for the ELO, and the subordinated units, which has to ensure the exchange of information;
6. Methodological and working procedures for ELO and for authorized units adapted to the customs environment;
7. Procedures regarding the internal and international jurisprudence (appeals) in the excise field, designed and approved;
8. Action plans referring to specific activities, responsibilities, milestones and the estimated deadlines related to the transfer of excise management to the NCA (phase I);
9. Action plans referring to specific activities and responsibilities related to the transfer to the NCA of the IT components related to the excise management and interoperability;
10. Action plans referring to specific activities and responsibilities related to the transfer of excise management to the NCA (phase II);
11. Training programmes approved for train the trainers, dedicated to the field of the specific legislation and best practice in surveillance of the excisable goods movement;
12. Thirty (30) customs staff trained as trainers based on the approved training for trainers programme;
13. Two (2) sessions of conference for the representatives of the Trade Community referring to their responsibilities and rights in excise field;
14. Annotations and requests for clarification from the Trade Community representatives, for improving the excise management by NCA, evaluated and solved;

15. Draft of terms of reference and technical specifications referring to the related investments and technical assistance projects foreseen to continue the strengthening of the excise management;
16. Evaluation study regarding the global appropriateness of the NCA for managing the specific aspects of the excise domain.

3.4. Activities

Component 1 - "Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project"

1.1. "Continuing the development of IT system related to the interconnectivity with the EU systems"

1. Updating/development of the TARIC-RO, existing Tariff related systems in accordance with DG TAXUD technical and functional specification relating to TARIC 3, Quota 2, ECICS 2, EBTI 3, etc, interfacing between them and interfacing with CDPS and others ICIS components; indicative budget is 91,000 euro
2. Updating/development of the TARIC-RO, Tariff related systems, CDPS databases in conformity with of the TARIC 3, Quota 2, ECICS 2, EBTI 3, etc, databases structure; indicative budget is 140,000 euro
3. Updating/development of the Calculating module and its integration into updated TARIC-RO and CDPS; indicative budget is 105,000 euro
4. Testing of the updated TARIC-RO, updated Tariff related systems, of the interfaces between them and the interface with CDPS; indicative budget is 126,000 euro
5. Conformity updated TARIC-RO, updated Tariff related systems Testing in accordance with DG TAXUD testing requirements and with requirements of the CCN/CSI environment; indicative budget is 91,000 euro
6. Implementation of the updated/developed TARIC-RO, Tariff related systems, CDPS, Calculating module, deployment, and fully operational on 01.11.2009 for TARIC 3, 01.12.2008 for Quota 2; indicative budget is 133,000 euro
7. Design and delivery of Train the trainer programme for customs staff (50 customs officers and 20 IT personnel) and evaluation of the trained personnel; indicative budget is 70,000 euro
8. Elaboration of the corresponding manuals for the customs staff and traders involved in the customs operations; indicative budget is 24,500 euro
9. Organization of 2 (two) conference sessions targeted for the traders involved in the customs operations; indicative budget is 63,000 euro
10. Delivery of special training for the TARIC HelpDesk personnel and evaluation; indicative budget is 42,000 euro.

Means: 16 months Technical assistance contract

1.2. "Updating the Romanian Customs Declaration Processing System (RCDPS) in accordance with the requirements of the AIS at the national level":

1. Updating the RCDPS with the new functionalities and improve the existing features in order to cover the National Domain functionalities related to:
 - interaction of the RCDPS with Summary Declaration Component, Control Management Component and Security Risk Assessment Component

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- consolidation of summary declaration data and extraction from the Common Domain in National Domain
- consolidation of control and risk assessment data
- performing automated risk assessment
- communicate control decision and control result to relevant parties
- development of the external message communication component between National Domain and External Domain, other domains taking into account the requirements for standardisation (messages, procedures, protocols)

Indicative budget is 196,000 euro

2. Creation of a pilot and testing the updated RCDPS and the interactions with the Summary Declaration Component, Control Management Component and Security Risk Assessment Component; indicative budget is 112,000 euro.
3. Elaboration of corresponding manuals for RNCA staff (e.g. Installation Software Manual, Users Manual, System Administrator Manual); indicative budget is 49,000 euro.
4. Design and delivery of the training program for customs officers and IT specialists (20 customs officers and 10 IT personnel); indicative budget is 45,500 euro
5. Organisation of 2 (two) conferences sessions for the Trade Community representatives involved in import operations, in order to ensure the preparedness of the end users to use the new system; indicative budget is 20,300 euro.
6. Implementation of the AIS HelpDesk, three levels consolidated to solve the occurred problems during the system running; indicative budget is 35,000 euro.

Means: 12 months Technical assistance contract

1.3. "Development and implementation of the NCTS security and safety aspects and of the NCTS/TIR at the level of NCTS customs offices"

A. NCTS/TIR

1. Development of the NCTS/TIR in conformity with DGTAXUD functional and technical specifications; indicative budget is 38,500 euro
2. Testing of NCTS/TIR and its integration into Romanian NCTS; indicative budget is 21,000 euro
3. Implementation of Romanian NCTS with the newly developed NCTS/TIR, fully operational at the level of NCTS customs offices on **01.07.2008**; indicative budget is 28,000 euro
4. Design and delivery of Train-the trainers programme for customs staff (40 customs officers and 20 IT personnel) and evaluation of the trained personnel; indicative budget is 17,500 euro
5. Elaboration of corresponding manuals for the customs staff and traders; indicative budget is 21,000 euro
6. Organization of 2 (two) conference sessions targeted to the participants to the customs operations; indicative budget is 14,000 euro
7. Delivery of training for the NCTS HelpDesk personnel and evaluation; indicative budget is 21,000 euro.

B. NCTS – Security and Safety

1. Development of NCTS – Security and Safety Aspects in conformity with DGTAXUD functional and technical specifications and its integration into Romanian NCTS; indicative budget is 56,000 euro
2. Testing of NCTS – Security and Safety Aspects in order to cover all functionalities related to paperless transit document, including guarantee and enquire procedure; indicative budget is 42,000 euro

3. Conformance Testing of NCTS – Security and Safety aspects in accordance with DGTAXUD testing requirements and with requirements of the CCN/CSI environment; indicative budget is 31,500 euro
4. Implementation of Romanian NCTS with the newly developed Security and Safety Aspects, fully **operational** at the level of NCTS customs offices on **01.07.2009**; indicative budget is 52,500 euro
5. Design and delivery of Train the trainer programme for customs staff (30 customs officers and 10 IT personnel) and evaluation of the trained personnel; indicative budget is 21,000 euro
6. Elaboration of the corresponding manuals for the customs staff and traders; indicative budget is 21,000 euro
7. Organization of 2 (two) conference sessions targeted for the participants involved into the transit operations; indicative budget is 14,000 euro
8. Delivery of training for the NCTS HelpDesk personnel and evaluation; indicative budget is 18,200 euro.

Means: 16 months Technical assistance contract

Component 2 – “Improving the competencies for the customs staff both at central and territorial level”

The following activities are related to the result 1:

- 1.1. Assessment of the existing customs training system;
The estimated budget is about 29.900 Euro. The estimated working days per activity are 20 days.
- 1.2. Identification of the training needs in order to ensure a uniform and unitary customs training system, both at central level and regional level. The training system will be in line with the EU standards for civil servants specific career
The estimated budget is about 44.850 Euro. The estimated working days per activity are 20 days.
- 1.3. Designing and delivering of training packages adapted to the NCA's new structure and responsibilities. The training packages will cover: excises, own resources, customs debt, e-customs, Common Agricultural Policy etc
The estimated budget is about 44.850 Euro. The estimated working days per activity are 40 days.
2. Designing of a programme for the wider benefit of the RCA training function in order to multiply the effects of the “core” training (cascade training);
The estimated budget is about 44.850 Euro. The estimated working days per activity are 20 days.
3. Organisation of 3 workshops for selected target group of high, middle managers and executive level in the field of managing the process of changes (50 persons) ;
The estimated budget is about 44.850 Euro. The estimated working days per activity are 15 days.
4. Organisation of 3 workshops for 40 selected managers on identifying individual and group training and development needs;
The estimated budget is about 44.850 Euro. The estimated working days per activity are 15 days.

5. Designing a programme for evaluating the impact of the training programme already delivered and its integration into the customs training system;

The estimated budget is about 29.900 Euro. The estimated working days per activity are 20 days.

6. Achieving the preparedness on the benefits of regular updated training to the customs officers. It will be pointed out that the regular updated training is a solid base for future progression in order to deliver a long term career planning and a professional development system.

The estimated budget is about 29.900 Euro. The estimated working days per activity are 30 days.

The following activities are related to the result 7:

- 7.1. 3 Workshops for staff involved in e-learning system's administration (for IT and training department/compartments staff)

The estimated budget is about 44.850 Euro. The estimated working days per activity are 15 days.

- 7.2. Delivering and loading of new training materials and new modules on the NCA's customs e-learning platform;

The estimated budget is about 29.900 Euro. The estimated working days per activity are 20 days.

8. Establishing standards for evaluating the trainers performances and the efficiency of training activities and its integration into the customs training system;

The estimated budget is about 29.900 Euro. The estimated working days per activity are 20 days.

9. Elaboration of methodology for selecting and train the trainers and its integration into the customs training system. The methodology will also have in view the trainers who do not work within the customs system.

The estimated budget is about 29.900 Euro. The estimated working days per activity are 20 days.

Means: 12 months twinning contract

Profile of the RTA

The RTA will be responsible for:

- Making contact with Member State's Administration representatives, relevant participating organisations and Romanian actors engaged in the project.
- Coordinating the work of Member State experts involved in the project, including organisation of the training activities in Romania.
- Providing advice to the Romanian NCA.
- Providing experts appraisals and reports on the request of the Romanian Project Leader.
- Monitoring the implementation of the Twinning Covenant
- Organisation and management of the Steering Committees (each three months).
- Preparation of the final report.

The secondment of a Resident Twinning Adviser (RTA) will be necessary for the entire duration of the project of 12 months. The RTA will provide the general expertise and day to day advice to MS in all matters related to the project.

Requirements for the RTA who will be responsible for the twinning project

- Solid background in the legislation, strategies, policies, methodologies, procedures, organisation and co-ordination in training area;
- Sound knowledge of regulations and policies of the European Union, in relation to human resources issues, including training function;
- Sound communication skills;
- Sound in assessment of staff's knowledge;
- Previous experience of working in a multi-disciplinary and multi-national team is a plus;
- Previous experience as project co-ordinator;
- Fluency in English;
- Understanding of the Romanian environment is a plus.

The required experience in the implementation of institutional aspects targeted by the project is minimum **15 years** in the field.

Short-term experts

This project component requires an experienced team of maximum 12 short-term experts (category II) from a Member State(s) customs administration.

The short-term experts should have at least 8 years experience in their specific field. The short-term experts will work during several missions, with the NCA / Human Resources, General Organization and Training Directorate in the limit of 12 months project life-time.

Short-term experts should generally have expertise in the following areas:

- a) Solid background in the legislation, strategies, policies, methodologies, procedures, organisation and management in training area;
- b) Sound knowledge of regulations and policies of the European Union, in relation to customs ethics issues;
- c) Ability in development and delivery of training programmes;
- d) Sound communication skills;
- e) Sound in assessment of staff's knowledge;
- f) Elaboration of training (needs assessment, design and delivery of training courses, evaluation mechanism);
- g) Production of manuals for customs staff and participants to the customs operations.
- h) Fluency in English.

Component 3 - "Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority"

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1. Amendment of the specific legislation (level 2 and 3) in order to adapt the existing provisions to the customs specific environment, in relation with the transfer of excise management to the NCA;
The estimated budget is about 38.400 Euro. The estimated working days per activity are 20 days.
2. Improvement of the Fiscal Code updating procedures, applied on biannual basis, related to the excise field, and the synchronisation with the specific procedures applied at the level of Ministry of Public Finance;
The estimated budget is about 38.400 Euro. The estimated working days per activity are 20 days.
3. Evaluation of the current situation and to recommend improvements in the organizational chart, the information flow, the methodologies and working procedures;
The estimated budget is about 25.600 Euro. The estimated working days per activity are 15 days.
4. Evaluation of the current situation and recommendation for improvements in the attributions and responsibilities for the specific structures in the field, at central and territorial level (including the authorisation of the economic agents);
The estimated budget is about 25.600 Euro. The estimated working days per activity are 15 days.
5. Evaluation of the current situation and to recommend strengthening the operative capacity of ELO, and the subordinated units, in the field of excise;
The estimated budget is about 25.600 Euro. The estimated working days per activity are 15 days.
6. Evaluation of the current situation and make recommendations to:
 - improve the methodologies and working procedures for ELO and for authorized units
 - adapt them to the customs environment;*The estimated budget is about 25.600 Euro. The estimated working days per activity are 20 days.*
7. Evaluation of the current situation and make recommendations to improve the procedures regarding the internal and international jurisprudence (appeals) in the excise field;
The estimated budget is about 25.600 Euro. The estimated working days per activity are 20 days.
8. Elaboration of the action plans referring the specific activities, responsibilities, milestones and the estimated deadlines related to the transfer of excise management to the NCA (phase I);
The estimated budget is about 25.600 Euro. The estimated working days per activity are 20 days.
9. Elaboration of the action plans referring to the specific activities and responsibilities related to the transfer to the NCA of the IT components related to the excise management and interoperability;
The estimated budget is about 25.600 Euro. The estimated working days per activity are 15 days.
10. Elaboration the action plans referring the specific activities, responsibilities, milestones and the estimated deadlines related to the transfer of excise management to the NCA (phase II);
The estimated budget is about 25.600 Euro. The estimated working days per activity are 15 days.

11. Development of the training programmes for train the trainers, dedicated to the field of the specific legislation and best practice in surveillance of the excisable goods movement, targeted to the customs personnel;
The estimated budget is about 38.400 Euro. The estimated working days per activity are 20 days.
12. Delivery of a training for trainers 30 customs staff based on the approved training for trainers programme;
The estimated budget is about 25.600 Euro. The estimated working days per activity are 10 days.
13. Organisation and carrying on 2 sessions of conference targeted to the representatives of the Trade Community, in order to inform them about all new procedures which are referring to their activity in excise field;
The estimated budget is about 25.600 Euro. The estimated working days per activity are 10 days.
14. Evaluation of the annotations and requests for clarification received from the representatives of the Trade Community in order to improve the excise management by NCA.
The estimated budget is about 25.600 Euro. The estimated working days per activity are 10 days.
15. Elaboration of the draft of terms of reference and technical specifications referring the related investments and technical assistance projects foreseen to continue the strengthening of the excise management;
The estimated budget is about 25.600 Euro. The estimated working days per activity are 15 days.
16. Evaluation of the NCA appropriateness for managing the specific aspects of the excise management and elaboration of the related study.
The estimated budget is about 25.600 Euro. The estimated working days per activity are 15 days.

Means: 12 months twinning contract

Profile of the RTA

The RTA will be responsible for:

- Making contact with Member State's Administration representatives, relevant participating organisations and Romanian actors engaged in the project.
- Coordinating the work of Member State experts involved in the project.
- Ensurance of a comprehensive overview of all the activities related to the training aspects, including design, development, delivery of certain training activities as well as the monitoring and evaluation of the training aspects within NCA.
- Providing advice to the Romanian NCA.
- Providing experts appraisals and reports on the request of the Romanian Project Leader.
- Monitoring the implementation of the Twinning Covenant
- Organisation and management of the Steering Committees (each three months).
- Preparation of the final report.

The secondment of a Resident Twinning Adviser (RTA) will be necessary for the entire duration of the project of 12 months. The RTA will provide the general expertise and day to day advice to MS in all matters related to the project.

Requirements for the RTA who will be responsible for the twinning project:

- a. Minimum 15 years of experience in customs field;
 - b. Minimum 10 years of experience in taxation field;
 - c. Experience in project management of minimum 5 years, including participation in a twinning project;
 - d. Detailed knowledge of the good practice/acquis communautaire in the above-mentioned field;
- Ability to communicate with the other RTAs in order to ensure interconnectivity with the other project related to the field;
 - Proven ability to design and delivery training programmes;
 - Proven ability to transfer know-how;
 - Excellent command of English;
 - Proven abilities of manager in forming an appropriate team of medium and short-term experts, in particular on taxation and tax management field.

Profile of the MTE

In order to meet easier the requirements of consistency and unity, this project component needs also a medium term expert (category II) from a Member State customs administration.

He will spend in Romania minimum 6 months and will work with the Romanian beneficiary on a daily basis.

He will participate in the analysis of the current situation in the excise field, he will make recommendations for improvements and will have a comprehensive overview of all the activities related to the transfer of the excise management to the National Customs Administration.

Requirements for the MTE who will be responsible within the twinning component for all the matters related to the transfer of excise duties the twinning project:

- Minimum 10 years of experience in taxation and tax management field;
- Detailed knowledge of the good practice/acquis communautaire in the above-mentioned field;
- Previous participation in minimum a twinning project;

Proven ability to communicate with seniors decision-makers in the public sector and to get the cooperation of other institutions involved;

- Proven ability to transfer know-how;

Excellent command of English;

Proven ability in preparation of periodical reports and organization of seminars.

Short-term experts

This project component requires an experienced team of maximum 10 short-term experts (category II) from a Member State customs administration.

Short-term experts will be required for effective co-operation and provision of know-how and experience in specific areas of project implementation regarding the EMCS system and the related systems to excise; STEs should possess knowledge and at least 8 years long experience in the field of issues covered by project; they should have a very good command of co-operation

with different relevant administrative institutions. Further requirements to the experts include relevant university degree, familiarity with EU acquis, computer skills.

3.5. Lessons learned:

A table on Lessons Learnt is annexed to this Project Fiche (See Annex 5).

4. Institutional Framework

The National Customs Authority is part of the Ministry of Finance and is responsible for the collection of customs duties, excise duties and VAT on imports, and the prevention of illegal imports and exports. The National Customs Authority is led by the Vice-President of the National Agency of Fiscal Administration.

The NCA has established a structure and developed internal procedures to co-ordinate Phare-financed programmes. The Phare Programmes Implementation Unit (PIU) will carry out the day-to-day management of the project and reports directly to the Phare Senior Programme Officer (SPO).

The main role of the NCA's PIU will be to monitor the project deployment and to solve issues concerning the management and progress of the project for NCA target group, including planning and identification of tasks, reporting, preparation of project Terms of Reference, participation in tendering, monitoring and evaluation of the activities executed. The PIU will also keep track of the timely completion of the project activities of present and previous Phare supported programmes.

5. Detailed Budget

MEuro		Transition Facility Support			Co-financing			Total cost
		Investment Support	Institution Building	Total Transition Facility (=I+IB)	National Public Funds (*)	Other Sources	Total cofinancing of the project	(TF plus co-financing)
1.	Component 1 - "Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project"	-	2.60	2.60	-	-	-	2.60
1.1.	1.1. "Continuing the development of IT system related to the interconnectivity with the EU systems" - technical assistance contract	-	1.20	1.20	-	-	-	1.20
1.2.	1.2. "Updating the Romanian Customs Declaration Processing System (RCDPS) in accordance with the requirements of the AIS at the national level" - technical assistance contract	-	0.70	0.70	-	-	-	0.70
1.3.	1.3. "Development and implementation of the NCTS security and safety aspects and of the NCTS/TIR at the level of NCTS customs offices"	-	0.70	0.70	-	-	-	0.70
2.	Component 2 - "Improving the competencies for the customs staff"	-	0.80	0.80	-	-	-	0.80

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	both at central and territorial level" - twinning contract							
3.	Component 3 - "Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority" - twinning contract	-	0.80	0.80	-	-	*	0.80
Total		-	4.20	4.20	-	-	*	4.20

* The National Customs Authority, as beneficiary of this project, will adequately ensure the conditions necessary for the good development of the project according to the Twinning Manual.
Contributions from the Romanian customs administration for effective implementation of the twinning will be further detailed in the twinning contract.

VAT is not an eligible expenditure under both the Transition Facility and national cofinancing funds indicated in the above budget table. Where contracts are subject to VAT due to provisions of national legislation, these funds have to be provided from national resource outside and in addition to the amounts indicated in the budget table.

6. Implementation Arrangements

6.1. Implementing Agency

The Central Finance and Contracts Unit (CFCU) will be the Implementing Agency and as such be responsible for all procedural aspects of the tendering process, contracting matters and financial management (including payments) of the project activities.

Contact:

Central Finance and Contracts Unit (CFCU)

Director (PAO): Mrs. Carmen Rosu

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e-mail: carmenrosu@cfcu.ro

Implementing Authority

The responsibility for technical project preparation, implementation and control will remain with the Implementing Authority that will be the NCA and the beneficiary departments.

A Project Steering Committee (PSC), comprising senior representatives of the National Customs Authority, will be set up for each project component, being responsible for the monitoring, supervision and co-ordination of the overall progress and implementation of the project components. The PSC will provide guidance on the different components of the project will approve priorities defined and finally endorse project outputs. It is envisaged that the PSC will meet at least once every three months or more frequently should there be an emphatic reason for such a meeting to be scheduled.

The direct beneficiaries of this project are the following departments within the NCA:

- For Component 1 : Information Technology, Communication and Statistics Department, the Customs Clearance Techniques and Customs Tariff Department and the Surveillance of Excised Products and Transit Department
- For Component 2 : the Human Resources, General Organisation and Training Department
- For Component 3 : Surveillance of Excised Products and Transit Department

The NCA will respectively appoint a Project Co-ordinator for each of the components within the project that relate solely to that administration, and joint Project Co-ordinators for joint projects.

The NCA will support the implementation of the proposed project by assuring the necessary organisational environment, making available the necessary personnel and by covering the cost of the required infrastructure and equipment, and the related running and administrative costs.

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National Customs Authority

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6.2. Twinning

Component 2 – “Improving the competencies for the customs staff both at central and territorial level” - The National Customs Authority will be the Implementing Authority for this twinning project.

Romanian Project Leader

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National Customs Authority

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RTA Counterpart

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Component 3 - “Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority” - The National Customs Authority will be the Implementing Authority for this twinning project.

Romanian Project Leader

Mr. Iulian Butnaru, Director of the Surveillance of Excised Products and Transit Department

National Customs Authority

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RTA Counterpart

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6.3. Non-standard aspects

For technical assistance and investment projects, the rules related to National Public Procurement will be strictly followed. Regarding the twinning project, the Twinning Manual provisions will be strictly followed.

6.4. Contracts

No.	Title	Type of assistance	Allocated budget	Co-financing*
1.	"Continuing the development of IT system related to the interconnectivity with the EU systems"	Technical assistance 16 months	1.20	-
2.	"Updating the Romanian Customs Declaration Processing System (RCDPS) in accordance with the requirements of the AIS at the national level"	Technical assistance 12 months	0.70	-
3.	"Development and implementation of the NCTS security and safety aspects and of the NCTS/TIR at the level of NCTS customs offices"	Technical assistance 16 months	0.70	-
4.	"Improving the competencies for the customs staff both at central and territorial level"	Twinning 12 months	0.80	*
5.	"Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority"	Twinning 12 months	0.80	*
Total			4.20	

*Contributions from the Romanian customs administration for a good implementation of the twinning will be further detailed in the twinning covenants.

7. Implementation Schedule

7.1. Start of tendering/call for proposals

January 2008 (estimated)

7.2. Start of project activity

June 2008 (estimated)

7.3. Project completion

September 2009 (estimated)

8. Sustainability

Maintenance of a permanent connection with the similar structures of DG TAXUD and delivery of permanent assistance to the economic operators and also to the customs officers involved in using the integrated tariff management system will be ensured by the reconfigured Taric HelpDesk for the new integrated tariff management system environment.

The AIS HelpDesk, three levels consolidated, will deliver permanent assistance to the economic operators and also to the customs officers involved in using the automated import system and support them to solve the occurred problems during the system running.

The reconfigured NCTS HelpDesk will deliver permanent assistance to the economic operators and also to the customs officers involved in using the NCTS/TIR system and support them to solve the occurred problems during the application running.

Also, the Guidelines and Manuals delivered under the project will be used as supporting material for the future training of the staff, being integrated into the customs training system.

The train the trainers programmes delivered under this project will be also integrated into the NCA's training system. The customs training system will ensure cascade trainings for the operational staff that will be delivered in order to multiply after the project completion the effects of the training delivered. The NCA will ensure the necessary financial and human resources thus making possible the sustainability of the projects results.

9. Conditionality and sequencing

Component 1 - "Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project"

Elaboration by DG TAXUD of the technical specifications related the implementation of the Electronic Customs Multi-annual Strategic Plan (MASP).

Component 2 – "Improving the competencies for the customs staff both at central and territorial level":

The expected results will be obtained by ensuring the following:

- the mentioned twinning project with UK assistance has to be concluded as the current twinning project of the Transition Facility programme has to be based on its results (the basis is created from the organisational, methodological and training point of view through the ongoing twinning project);
- availability for the staff dedicated to fulfil the activities of the project;
- adequate working conditions;
- national legislation in line with EU legislation and best practice enacted.

Component 3 – “Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority”:

The expected results will be obtained by ensuring the following:

- availability for the staff dedicated to fulfil the activities of the project;
- adequate working conditions;
- national legislation in line with EU legislation and best practice enacted.

ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format – Annex 1
2. Detailed implementation chart – Annex 2
3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period) – Annex 3
4. List of relevant Laws and Regulations - Annex 4
5. Lessons learnt from previous years - Annex 5
6. Indicative budget breakdowns – Annex 6

ANNEX 1 – LOGFRAME PLANNING MATRIX for Transition Facility Project Fiche

LOGFRAME PLANNING MATRIX FOR Project Fiche			Programme name and number	
Project title: "Improving the operational and administrative capacity of the customs authority"			TRANSITION FACILITY	
			Contracting period expires: 15 December 2009	Disbursement period expires: 15 December 2010
			Total budget: 4.20 Meuro	TF budget: 4.20 Meuro
Overall objective	Relates to Copenhagen criterion and acquis chapter		List of other projects with same objective	
Settlement of the integration capacity into EU Customs Union of the Romanian Administration in order to enable the achievement of full harmonisation with the EU Acquis and European Union best practices.	Economic Criterion from Copenhagen "the existence of a functioning market economy"		RO04/IB/FI-07 "Assistance to the NCA for the improvement of Human Resources policies including training and ethics".	
	May 2006 Comprehensive Monitoring European Commission Report - Chapter 25, pages 37,38		Increasing the integration level of new IT and communication systems – TA and Supply under 2005 and 2006 Phare Programme	
	2005 Comprehensive Monitoring Report for Romania" - Chapter 25		Development and implementation of the national control export system (ECS) – TA under Services 2005 Phare Programme	
	The Electronic Customs Multi-annual Strategic Plan (MASP), working doc TAXUD/477/2004/Rev.7 from 27 September 2006		Update of the Romanian Customs Declaration Processing system in accordance with the Commission Regulation (EC) No.2286/2003 – Framework Phare 2004	
	TAXUD A3/ED3/MD(06)0195a and b /D/3995 of 31 October 2006 – Report of the Central Project Team's (CPT) on the Mission to the Romanian NCTS Project Team and ECS National Project Team (NPT), Bucharest 24th July 2006		No previous PHARE assistance was granted in the field of excise	
	The recommendations made by the European Commission as a consequence of the monitoring visits during 2005-2006:			

Project purpose The project purpose aims to improve the administrative, operational and technical capacity of the customs authority in order to ensure the efficiency and transparency of the specific customs activities, Component 1 – “Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project” To continue the development of IT systems related to the interconnectivity with the EU systems and to develop and implement national IT modules to ensure the compatibility with the EU IT system associated to the ‘paperless’ principles (MASP).	- in 21 of 25 EU Member States (until 01.01.2007) the excise management is the responsibility of the customs management; - the provisions of the EU Council Regulation no.2073/2004 related to the administrative cooperation in the excise field.	duties exclusively At the level of Ministry of Public Finance, there are on-going the following related projects: “Completing the harmonization of tax legislation and strengthening of the fiscal management” “Establishment and implementation of the IT structures regarding the administrative cooperation with the other Member States” (SEED RO 2004 016-772.03.01.03.02 and EMCS 2005)	
Objectively verifiable indicators TARIC 3: a) automated customs clearance based on the data needed (interpretation, integration and codification) b) up-to-date tariff and commercial legislation applicable at Community level (mainly via the DDS) c) operational TARIC-RO on 01.11.2009 QUOTA 2: a) management of “first come – first served” (FCFS) tariff quotas b) up-to-date situation (balance) of the FCFS tariff quotas (via DDS). c) Operational QUOTA 2 on 01.12.2008 ECICS 2: a) consistent and harmonised classification of chemical products in the EU	Sources of Verification Regular Customs Administrative and Operational Capacity Monitoring Reports within the SMSC2, SMSC3 & SMSC4 Reports to the EU DG TAXUD specific services referring the IT system performances DG TAXUD technical inter-operability reports referring the Romanian Customs readiness for the implementation of the ‘e-customs’ principles The monthly progress reports and the quarterly and final reports elaborated within the projects related services contracts Interim evaluations of EC	Assumptions Government maintains consistent policy viz. the Customs Authority, in line with the accession to EU requirements. National legislation, compliant with the EU legislation and best practice, enacted	

ig Component 2 - "Improving the competencies for the customs staff both at central and territorial level" To consolidate and develop a complete and unitary customs training system by improving the ability of customs staff to perform its tasks after enlargement, taking into account the EU standards for civil servants specific career. Component 3 - "Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority" LB	b) customs authorities able to identify chemical products, c) system updated for improving its performance. Operational updated Romanian Customs Declaration Processing System (RCDPS) in accordance with the requirements of the AIS at the national level. NCTS Security and Safety Aspects: Additional features arising from the security amendment of the Customs Code and its implementing provisions, incorporated into existing NCTS. NCTS/TIR a) Full control of the European TIR movements b) Termination /discharge of TIR operations facilitated through replacing the return of Voucher No 2 with sending of NCTS messages Complete and unitary training system able to ensure: a) uniform and correct application of the customs legislation at central and territorial level b) Training packages adapted to the NCA's new structure in line with the EU standards c) Ability and competency of customs staff to perform its tasks after enlargement, enhanced d) Impact of the training programmes evaluated e) Trainers performances evaluated	
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To assist the NCA with the taking over of the excise management activity, having in view the following steps: - fiscal surveillance of warehouses - authorising the fiscal warehouses, the fiscal warehouse keepers and other categories of trade agents which are authorised according to the Fiscal Code - taking over of the Excise Liaison Office (ELO) - SEED - management of the accompanying administrative document (AAD) - fiscal inspection	Operational and administrative capacity of NCA strengthened and able to manage the excise activity for: - Fiscal surveillance of warehouses - Authorising the fiscal warehouses, the fiscal warehouse keepers and other categories of trade agents which are authorised according to the Fiscal Code - Excise Liaison Office (ELO) - SEED - Management of the accompanying administrative document (AAD) - Fiscal inspection		
Results	Objectively verifiable indicators	Sources of Verification	Assumptions
Component 1 – “Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project” 1.1. “Continuing the development of IT system related to the interconnectivity with the EU systems” - TARIC-RO, existing Tariff related systems updated/developed in accordance with DG TAXUD technical and functional specifications relating to TARIC 3, Quota 2, ECICS 2, EBTI 3, etc, interfaced with CDPS and others ICIS components, tested and integrated into ICIS environment; - TARIC-RO, Tariff related systems, CDPS databases updated/developed in conformity with of the TARIC 3, Quota 2, ECICS 2, EBTI 3, etc, databases structure; - Calculating module updated/developed, tested and integrated into the new operational environment; - The updated TARIC-RO and updated Tariff related systems, interfaces between them and interface with the CDPS, tested; - TARIC-RO, Tariff related systems tested in accordance with DG TAXUD testing	1.1 All the DG TAXUD functional and technical specifications are 100% achieved 1.2. Systems and interfaces functioning tests 100% fulfilled successfully 2.1. All databases 100% updated/developed 3.1. Calculating module updated/developed/integrated 100% 4. Functional conformity tests 100% fulfilled successfully 5. DG TAXUD authentication of the tests results	Technical Reports of the DG TAXUD specific services referring the IT system performances DG TAXUD technical inter-operability reports referring the Romanian Customs readiness for the implementation of the customs' principles Help desk statistics NCA Orders enacted for approval of the working methodology and procedures. The monthly progress reports and the quarterly and final reports elaborated within the projects related services contracts Regular Customs Administrative and Operational Capacity Monitoring Reports, within the SMSC3 Report of DG TAXUD specific	Full commitment of the parties involved Required professional level for the appointed staff Timely and adequate resources (organisation, human and financial) Necessary IT & communication infrastructure operational Timely and adequate technical information and assistance provided by the Commission (DG TAXUD).

requirements and with requirements of the CCN/CSI environment; 6. TARIC-RO, Tariff related systems, CDPS, Calculating module with the newly updated/developed TARIC 3 Quota 2, ECICS 2, EBTI 3, etc deployed, implemented and fully operational on 01.11.2009 for TARIC 3, 01.12.2008 for Quota 2; 7. Customs staff (50 customs officers and 20 IT personnel) selected, trained and evaluated as trainers; 8. Corresponding manuals for the customs staff and traders produced and disseminated; 9. Five (5) sessions of conference organised for the traders involved in the customs operations; 10. TARIC HelpDesk personnel trained and evaluated. 1.2. "Updating the Romanian Customs Declaration Processing System (RCDPS) in accordance with the requirements of the AIS at the national level" 1. RCDPS updated/developed and interfaced with Summary Declaration Component, Control Management Component and Security Risk Assessment Component;	6. Operational TARIC-RO, Tariff related systems, CDPS, Calculating module with the newly updated/developed TARIC 3 Quota 2, ECICS 2, EBTI 3, on 01.11.2009 for TARIC-RO and respectively on 01.12.2008 for Quota 2; 7.1. Training programmes approved 7.2. Fifty (50) customs officers and twenty (20) IT personnel trained and not less than 90% "very good" marks 7.3. Not less than 90% Degree of keeping the position & responsibilities by the trained personnel 8. Corresponding manuals approved (for IT administrator/ installation/configuration, End-user Guide, technical HelpDesk Guide and Functional HelpDesk Guide) 9. Five (5) conferences dedicated to the traders' representatives, in order to ensure the preparedness of the end users to use the new systems 10.1. Eight (8) persons of TARIC HelpDesk personnel trained and evaluated and not less than 90% percentage of "very good" marks 10.2. Not less than 90% degree of keeping the position & responsibilities by the trained personnel 1.1. Operational RCDPS, updated in accordance with the requirements of the AIS at the national level and interfaced with Summary Declaration Component, Control Management Component and Security Risk	services on the readiness of ICIS to implement the MASP requirements through the development and implementation of the national modules The results of the conformity acceptance tests addressed by DG TAXUD Interim evaluations of EC
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2. RCDPS piloted in order to cover the interactions with Summary Declaration Component, Control Management Component and Security Risk Assessment Component and tests successfully passed as to cover the common functionalities with the respective components; 3. Corresponding manuals elaborated and disseminated for the NCA staff (e.g. Installation Software Manual, Users Manual, System Administrator Manual); 4. Customs staff (20 customs officers and 10 IT personnel), trained and evaluated as trainers; 5. Two (2) conferences organised for the Trade Community representatives participating to import operations, in order to ensure the preparedness of the end users to use the new system; 6. AIS HelpDesk, three level consolidated to solve the occurred problems during the system running. 3. "Development and implementation of the NCTS and Safety Aspects and of the NCTS/TIR at the level of customs offices" A. NCTS/TIR 1. NCTS/TIR developed in conformity with DGTAXUD functional and technical specifications, 2. NCTS/TIR tested and integrated into Romanian NCTS;	Assessment Component 1.2. All customs offices using the new updated RCDPS 2.1. All Technical tests 100% fulfilled successfully 2.2. All Conformity functional tests 100% fulfilled successfully 3. Related manuals approved (for IT administrator, End-user Guide, technical HelpDesk Guide and Functional HelpDesk Guide) 4.1. Twenty (20) customs officers and ten (10) IT personnel trained and not less than 90% "very good" marks 4.2. Not less than 90% Degree of keeping the position & responsibilities by the trained personnel 5. Two (2) conferences dedicated to the traders' representatives, in order to ensure the preparedness of the end users to use the new systems 6.1. Eight (8) persons of HelpDesk personnel trained and evaluated and not less than 90% percentage of "very good" marks 6.2. Not less than 90% degree of keeping the position & responsibilities by the trained personnel 1.1. NCTS /TIR specific component developed	
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3. Romanian NCTS with the developed NCTS/TIR functionalities, implemented and fully operational on 01.07.2008 at the level of NCTS customs offices; 4. Customs staff (40 customs officers and 20 IT personnel) selected, trained and evaluated as trainers; 5. Corresponding manuals for the customs staff and traders produced and disseminated; 6. Two (2) conference sessions organised for the participants to the transit operations; 7. NCTS Helpdesk personnel trained and evaluated.	2.1. Functional and technical tests 100% fulfilled successfully 3. Fully Operational Romanian NCTS with the developed NCTS/TIR functionalities on 1 July 2009 at the level of NCTS customs offices 4.1. Forty (40) officers trained and not less than 90% percentage of "very good" marks 4.2. Twenty (20) IT administrators trained and not less than 90% percentage of "very good" marks 4.3. Not less than 90% degree of keeping the position & responsibilities by the trained personnel 5. One (1) set of 4 manuals (for IT administrator/installation/configuration, end-user guide, technical HelpDesk Guide and Functional HelpDesk Guide) approved 6. Two (2) sessions of conference dedicated to the trade representatives	
B. NCTS – Security and Safety Aspects 1. NCTS – Security and Safety Aspects, developed in conformity with DGTAXUD functional and technical specifications, integrated into Romanian NCTS; 2. NCTS – Security and Safety Aspects Mode 0 Tested in order to cover all functionalities related to paperless transit document, including guarantee, and inquiry procedure; 3. NCTS – Security and Safety Aspects Mode 1, Pre-Conformance and Actual Conformance Tested in accordance with DG TAXUD testing	7.1. Six (6) customs staff trained for help desk and not less than 90% percentage of "very good" marks 7.2. Not less than 90% degree of keeping the position & responsibilities by the trained personnel 1.1. Technical tests fulfilled 100% successfully 1.2. Degree of 100% conformity with the DG TAXUD functional and technical specifications 2.1. Conformity functional tests 100% fulfilled successfully 2.2. DG TAXUD authentication of the tests results 3.1. Conformity tests 100% fulfilled successfully through CCN/CSI	

requirements and with requirements of the CCN/CSI environment; 4. Romanian NCTS with the newly developed Security and Safety Aspects, implemented and fully operational on 01.07.2009 at the level of NCTS customs offices; 5. Customs staff (30 customs officers and 10 IT personnel) selected, trained and evaluated as trainers; 6. Corresponding manuals for the customs staff and traders produced and disseminated; 7. Two (2) conference sessions organised for the Trade Community involved in the NCTS operations; 8. NCTS Helpdesk personnel trained and evaluated.	3.2. DG TAXUD authentication of the tests results 4. All NCTS customs offices using the new NCTS Security & Safety Aspects 5.1. Thirty (30) customs officers customs officers trained and not less than 90% percentage of "very good" marks; 5.2. Ten (10) IT personnel IT administrators trained and not less than 90% percentage of "very good" marks 5.3. Not less than 90% degree of keeping the position & responsibilities by the trained personnel 6.1. Related manuals approved 6.2. One (1) set of 4 manuals (for IT administrator/installation/configuration, end-user guide, technical HelpDesk Guide and Functional HelpDesk Guide) approved 7. Two (2) conference sessions dedicated to the trade representatives 8.1. Six (6) persons of HelpDesk personnel trained and evaluated and not less than 90% percentage of "very good" marks 8.2. Not less than 90% degree of keeping the position & responsibilities by the trained personnel.	Training materials and curricula. NCA Orders enacted for approval of the working methodology and procedures Project deliverables The monthly progress reports and the quarterly and final reports	Full commitment of the parties involved. Required professional level for the appointed staff Timely and adequate resources available
Component 2 – "Improving the competencies for the customs and financial guard staff both at central and territorial level" 1. Training packages adapted to the NCA's new structure designed and delivered	1.1. Training programmes adapted 100% to the new organisation structure approved and integrated into the NCA training strategy 1.2. Related training documents 100% approved 1.3. Training packages 100% adapted to the new		

	organisation structure approved and integrated into the NCA training strategy	elaborated within the projects related services contracts	(organisation, human and financial)
2. A programme for multiplying the effects of the "core" training designed and approved	2. Planning of the cascade training approved and integrated into the NCA training plan in the 1 st training year after the twinning completion	Regular Customs Administrative and Operational Capacity Monitoring Reports, within the SMSC3	Commitment of the customs staff to improve their performances.
3. 3 Workshops organised for high, middle management and executive level in the field of managing the processes of changes (50 persons)	3.1. Twelve (12) persons of high level management staff participated in workshop by the end of the project 3.2. Twelve (12) persons of middle level management staff participated in workshop by the end of the project 3.3. Twenty-six (26) persons of executive level participated in workshop by the end of the project 3.4. Not less than 90% of "very good" mark for managers and executive level staff participating in workshops	Interim evaluations of EC	
4. 40 Managers prepared in the field of identifying individual and group training and development needs	4. Forty (40) managers getting preparedness in identifying individual and group training and development need by the end of the project		
5. A post-implementation programme designed and integrated into the customs training system, for evaluating the impact of the training programme already delivered	5.1. Post-implementation programme to evaluate the training impact approved and integrated into the customs training system 5.2. Not less than 90% degree of keeping the position & responsibilities by the trained personnel		
6. Preparedness achieved on the benefits of regular updated training to the customs officers as a solid base for future progression	6.1. Three (3) workshops (5 days each) organised by the end of the project for career development, dedicated to the customs personnel having between 2 and 10 years working experience (15 persons for each seminar) 6.2. Increased number of fields covered by individual training		
7. E-learning system re-launched and up-dated	7.1 Operational re-launched and updated e-learning system by the end of the project 7.2. No of training documents delivered and included in the customs e-learning platform (minimum 5 fields of activity by the end of the project) 7.3 One (1) workshop (5 days) organised for IT staff		

8. Standards elaborated for evaluating the trainers performances and the efficiency of training activities and integrated into the customs training system 9. Methodology for selecting and train the trainers, elaborated and integrated into the customs training system Component 3 – “Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority” 1. Amendment proposals related to the specific legislation (level 2 and 3) adapted to the customs specific environment, approved in relation with the transfer of excise management to the NCA;	involved in e-learning system's administration (15 persons) by the end of the project 7.4 Two (2) workshops (5 days each) organised by the end of the project for staff involved in e-learning system's administration, namely for the staff from the customs administration training departments/ compartments in charge of the management of the platform content (15 persons for each workshop) 8.1. Standards for trainers evaluation approved and integrated into the customs training strategy by the end of the project 8.2. Not less than 90% of trainers evaluated as compliant with the standards (the “compliant with the standards” being considered the trainer evaluated with minimum “satisfactory” as mark) 8.3. Not less than 90% degree of keeping the position & responsibilities by the trainers 9.1. Methodology for selecting the trainers approved and integrated into the NCA's training strategy by the end of the project 9.2. Not less than 90% degree of covering the necessary staff as trainers from the customs system 9.3. Planning of the train the trainers sessions approved for each customs specific function and integrated into the customs training plan 1. Proposed amendments approved and put in place at the level of NCA, as complementary legal base for the excise management	
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2. Proposals for Fiscal Code updating procedures, applied on biannual basis, related to the excise field, in accordance with the specific procedures applied at the level of Ministry of Public Finance; 3. Proposal for adjustment of the organizational chart, information flow, methodologies and working procedures, approved; 4. Proposal for adjustment of the attributions and responsibilities approved for the specific structures in the field, at central and territorial level (including the authorisation of the economic agents); 5. A complete organizational chart for the ELO, and the subordinated units, which has to ensure the exchange of information; 6. Methodological and working procedures for ELO and for authorized units adapted to the customs environment; 7. Procedures regarding the internal and international jurisprudence (appeals) in the excise field, designed and approved; 8. Action plans referring to specific activities, responsibilities, milestones and the estimated deadlines related to the transfer of excise management to the NCA (phase I); 9. Action plans referring to specific activities and responsibilities related to the transfer to the NCA of the IT components related to the excise management and interoperability; 10. Action plans referring to specific activities and responsibilities related to the transfer of excise management to the NCA (phase II);	2.1. Proposals for FC updating procedures enacted by the MoPF and NCA experts approved and put in place 3.1. Organisation chart, information flow, methodologies and working procedures approved and put in place 4.1. Rules of organisation and functions approved for the reorganised structures approved and in current use; 4.2. About 300 of customs staff assigned to the reorganised structures; 5.1. Organizational chart for the ELO, and the subordinated units, approved, integrated into the NCA organisational chart and put in place; 6.1. Methodological and working procedures for ELO and for authorized units approved and in current use; 7.1. Procedures regarding the internal and international jurisprudence approved and in current use; 8.1. Action plan referring the phase I of the transfer approved and integrated into the NCA's Development Strategy; 9.1. Action plan referring the transfer of the IT components related to the excise management approved and integrated into the NCA's Development Strategy; 10.1. Action plan referring the phase II of the transfer approved integrated into the NCA's Development Strategy;	
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11. Training programmes approved for train the trainers, dedicated to the field of the specific legislation and best practice in surveillance of the excisable goods movement, targeted to the customs personnel;	11.1. Training programmes targeted to the customs personnel approved and integrated into the NCA training strategy by the end of the project;	
12. Thirty (30) customs staff trained as trainers based on the approved training for trainers programme;	11.2. Training programmes applied for the training for trainers and integrated into the NCA training strategy by the end of the project; 12.1. Thirty (30) of customs staff trained as trainers;	
13. Two (2) sessions of conference for the representatives of the Trade Community referring to their responsibilities and rights in excise field;	13.1. Two (2) sessions of conference for the Trade Community organised;	
14. Annotations and requests for clarification, received from the representatives of the Trade Community in order to improve the excise management by NCA, evaluated and solved.	14.1. All annotations and requests for clarification, received from the representatives of the Trade Community in order to improve the excise management by NCA, 100% evaluated and solved;	
15. Draft of terms of reference and technical specifications referring to the related investments and technical assistance projects foreseen to continue the strengthening of the excise management;	15.1. Terms of reference referring the related technical assistance project foreseen drafted and approved by NCA; 15.2. Technical specifications referring the related investments project foreseen drafted and approved by NCA;	
16. Evaluation study regarding the global appropriateness of the NCA for managing the specific aspects of the excise domain.	16.1. Evaluation study regarding the global appropriateness of the NCA for managing the specific aspects of the excise domain approved by NCA	

Activities	Means		Assumptions
Component 1 – “Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project” 1.1. “Continuing the development of IT system related to the interconnectivity with the EU systems” 1. Updating/development of the TARIC-RO, existing Tariff related systems in accordance with DG TAXUD technical and functional specification relating to TARIC 3, Quota 2, ECICS 2, EBTI 3, etc, interfacing between them and interfacing with CDPS and others ICIS components; 2. Updating/development of the TARIC-RO, Tariff related systems, CDPS databases in conformity with of the TARIC 3, Quota 2, ECICS 2, EBTI 3, etc, databases structure; 3. Updating/development of the Calculating module and its integration into updated TARIC-RO and CDPS; 4. Testing of the updated TARIC-RO, updated Tariff related systems, of the interfaces between them and the interface with CDPS; 5. Conformity updated TARIC-RO, updated Tariff related systems Testing in accordance with DG TAXUD testing requirements and with requirements of the CCN/CSI environment; 6. Implementation of the updated/developed TARIC-RO, Tariff related systems, CDPS, Calculating module, deployment, and fully operational on 01.11.2009 for TARIC 3, 01.12.2008 for Quota 2; 7. Design and delivery of Train the trainer	16 months Technical Assistance Contract		

programme for customs staff (50 customs officers and 20 IT personnel) and evaluation of the trained personnel; 8. Elaboration of the corresponding manuals for the customs staff and traders involved in the customs operations; 9. Organization of 2 (two) conference sessions targeted for the traders involved in the customs operations; 10. Delivery of special training for the TARIC HelpDesk personnel and evaluation. 1.2. "Updating the Romanian Customs Declaration Processing System (RCDPS) in accordance with the requirements of the AIS at the national level"; 1. Updating the RCDPS with the new functionalities and improve the existing features in order to cover the National Domain functionalities related to: • interaction of the RCDPS with Summary Declaration Component, Control Management Component and Security Risk Assessment Component • consolidation of summary declaration data and extraction from the Common Domain in National Domain • consolidation of control and risk assessment data • performing automated risk assessment • communicate control decision and control result to relevant parties • development of the external message communication component between National Domain and External Domain, other domains taking into account the requirements for standardisation (messages, procedures, protocols) 2. Creation of a pilot and testing the updated	12 months Technical Assistance Contract		
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RCDDS and the interactions with the Summary Declaration Component, Control Management Component and Security Risk Assessment Component. 3. Elaboration of corresponding manuals for RNCA staff (e.g. Installation Software Manual, Users Manual, System Administrator Manual). 4. Design and delivery of the training program for customs officers and IT specialists (20 customs officers and 10 IT personnel) 5. Organisation of 2 (two) conferences sessions for the Trade Community representatives involved in import operations, in order to ensure the preparedness of the end users to use the new system. 6. Implementation of the AIS HelpDesk, three levels consolidated to solve the occurred problems during the system running. 1.3. <i>"Development and implementation of the NCTS security and safety aspects and of the NCTS/TIR at the level of NCTS customs offices"</i> <u>4. NCTS/TIR</u> 1. Development of the NCTS/TIR in conformity with DGTAXUD functional and technical specifications; 2. Testing of NCTS/TIR and its integration into Romanian NCTS; 3. Implementation of Romanian NCTS with the newly developed NCTS/TIR, fully operational at the level of NCTS customs offices on 01.07.2008; 4. Design and delivery of Train-the trainers programme for customs staff (40 customs officers and 20 IT personnel) and evaluation of the trained personnel; 5. Elaboration of corresponding manuals for the			
	16 months Technical Assistance Contract		

customs staff and traders;
6. Organization of 2 (two) conference sessions targeted to the participants to the customs operations;
7. Delivery of training for the NCTS HelpDesk personnel and evaluation.

B. NCTS – Security and Safety

1. Development of NCTS – Security and Safety Aspects in conformity with DGTAXUD functional and technical specifications and its integration into Romanian NCTS;
2. Testing of NCTS – Security and Safety Aspects in order to cover all functionalities related to paperless transit document, including guarantee and enquire procedure;
3. Conformance Testing of NCTS – Security and Safety aspects in accordance with DGTAXUD testing requirements and with requirements of the CCN/CSI environment;
4. Implementation of Romanian NCTS with the newly developed Security and Safety Aspects, fully operational at the level of NCTS customs offices on 01.07.2009;
5. Design and delivery of Train the trainer programme for customs staff (30 customs officers and 10 IT personnel) and evaluation of the trained personnel;
6. Elaboration of the corresponding manuals for the customs staff and traders;
7. Organization of 2 (two) conference sessions targeted for the participants involved into the transit operations;
8. Delivery of training for the NCTS HelpDesk personnel and evaluation.

Component 2 – “Improving the competencies for the

custom staff both at central and territorial level" The following activities are related to the result 1: 1.1 Assessment of the existing customs training system; 1.2. Identification of the training needs in order to ensure a uniform and unitary customs training system, both at central level and regional level; 1.3. Designing and delivering of training packages adapted to the NCA's new structure and responsibilities (excises, own resources, customs debt, e-customs etc); 2. Designing of a programme in order to multiply the effects of the "core" training (cascade training); 3. Organisation of 3 workshops for selected target group of high, middle managers and executive level in the field of managing the process of changes (50 persons); 4. Organisation of 3 workshops for 40 selected managers on identifying individual and group training and development needs; 5. Designing a programme for evaluating the impact of the training programme already delivered and its integration into the customs training system 6. Achieving the preparedness on the benefits of regular updated training to the customs officers as a solid base for future progression; in this respect 3 workshops will be organised by the end of the project for career development, dedicated to the customs personnel having between 2 and 10 years working experience. The following activities are related to the result 7: 7.1. 3 Workshops for staff involved in e-learning system's administration (for IT and training department/compartments staff); 7.2. Delivering and loading of new training materials and new modules on e-learning platform; 8. Establishing standards for evaluating the trainers performances and the efficiency of training activities and its integration into the customs training system; 9. Elaboration of methodology for selecting and train	12 months Twinning contract		
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the trainers and its integration into the customs training system.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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regarding the internal and international jurisprudence (appeals) in the excise field; 8. Elaboration of the action plans referring the specific activities, responsibilities, milestones and the estimated deadlines related to the transfer of excise management to the NCA (phase I); 9. Elaboration of the action plans referring to the specific activities and responsibilities related to the transfer to the NCA of the IT components related to the excise management and interoperability; 10. Elaboration the action plans referring the specific activities, responsibilities, milestones and the estimated deadlines related to the transfer of excise management to the NCA (phase II); 11. Development of the training programmes for train the trainers, dedicated to the field of the specific legislation and best practice in surveillance of the excisable goods movement, targeted to the customs personnel; 12. Delivery of a training for trainers 30 customs staff based on the approved training for trainers programme; 13. Organisation and carrying on of 2 sessions of conference targeted to the representatives of the Trade Community, in order to inform them about all new procedures which are referring to their activity in excise field; 14. Evaluation of the annotations and requests for clarification received from the representatives of the Trade Community in order to improve the excise management by NCA. 15. Elaboration of the draft of terms of reference and technical specifications referring the related investments and technical assistance projects foreseen to continue the strengthening of the			
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excise management; 16. Evaluation of the NCA appropriateness for managing the specific aspects of the excise management and elaboration of the related study.			
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ANNEX 2 – DETAILED TIME IMPLEMENTATION CHART

TIME IMPLEMENTATION CHART																																							
Calendar months	2007												2008												2009												2010		
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J									
Component I - "Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project"																																							
1.1. "Continuing the development of IT system related to the interconnectivity with the EU systems"																																							
Technical assistance contract																																							
1.2. "Updating the Romanian Customs Declaration Processing System (RCDPS) in accordance with the requirements of the AIS at the national level"																																							
Technical assistance contract																																							
1.3. "Development and implementation of the NCTS security and safety aspects and of the NCTS/TIR at the level of NCTS customs offices"																																							
Technical assistance contract																																							

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calendar months	2007												2008												2009												2010				
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J											
Component 2 – the competencies for the custom staff both at central and territorial level “ <i>Twinning contract</i> ”																																									

D = Design
C = Contracting
I = Implementation

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ANNEX 3 - CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE

1. Component 1 – “Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project” – 2.60 MEuro

1.1. “Continuing the development of IT system related to the interconnectivity with the EU systems” - 1.20 MEuro

Annex 3 a – Cumulative Contracting Schedule

	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09	31/03/10	30/06/10	30/09/10	31/12/10
CONTRACTED												
Technical Assistance		1.20										
NB: All contracting should normally be completed within 6-12 months and must be completed within 24 months of signature of the FA.												

Annex 3 b – Cumulative Disbursement Schedule

	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09	31/03/10	30/06/10	30/09/10	31/12/10
DISBURSEMENT												
Technical Assistance			0.24	0.48	0.72	1.08	1.20					
NB: All disbursements must be completed within 36 months of signature of the FA.												

1.2. “Updating the Romanian Customs Declaration Processing System (RCDPS) in accordance with the requirements of the AIS at the national level” – 0.70 MEuro

Annex 3 a – Cumulative Contracting Schedule

	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09	31/03/10	30/06/10	30/09/10	31/12/10
CONTRACTED												
Technical Assistance		0.70										
NB: All contracting should normally be completed within 6-12 months and must be completed within 24 months of signature of the FA.												

Annex 3 b – Cumulative Disbursement Schedule

	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09	31/03/10	30/06/10	30/09/10	31/12/10
DISBURSEMENT												
Technical Assistance			0.17	0.34	0.50	0.70						
NB: All disbursements must be completed within 36 months of signature of the FA.												

1.3. "Development and implementation of the NCTS security and safety aspects and of the NCTS/TIR at the level of NCTS customs offices" – 0.70 MEuro

Annex 3 a – Cumulative Contracting Schedule

	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09	31/03/10	30/06/10	30/09/10	31/12/10
CONTRACTED Technical Assistance		0.70										
NB: All contracting should normally be completed within 6-12 months and must be completed within 24 months of signature of the FA.												

Annex 3 b – Cumulative Disbursement Schedule

	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09	31/03/10	30/06/10	30/09/10	31/12/10
DISBURSEMENT Technical Assistance			0.14	0.28	0.42	0.60	0.70					
NB: All disbursements must be completed within 36 months of signature of the FA.												

2. Component 2 – "Improving the competencies for the custom staff both at central and territorial level" – 0.80 MEuro

Annex 3 a – Cumulative Contracting Schedule

	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09	31/03/10	30/06/10	30/09/10	31/12/10
CONTRACTED Twinning		0.80										
NB: All contracting should normally be completed within 6-12 months and must be completed within 24 months of signature of the FA.												

Annex 3 b – Cumulative Disbursement Schedule

	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09	31/03/10	30/06/10	30/09/10	31/12/10
DISBURSEMENT Twinning		0.30	0.60	0.60	0.62	0.74	0.80					
NB: All disbursements must be completed within 36 months of signature of the FA.												

3. Component 3 – “Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority” - 0.80 MEuro

Annex 3 a – Cumulative Contracting Schedule

	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09	31/03/10	30/06/10	30/09/10	31/12/10
CONTRACTED Twinning		0.80										
NB: All contracting should normally be completed within 6-12 months and must be completed within 24 months of signature of the FA.												

Annex 3 b – Cumulative Disbursement Schedule

	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09	31/03/10	30/06/10	30/09/10	31/12/10
DISBURSEMENT Twinning		0.30	0.60	0.60	0.62	0.74	0.80					
NB: All disbursements must be completed within 36 months of signature of the FA.												

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ANNEX 4 - REFERENCE LIST OF RELEVANT LAWS AND REGULATIONS

- Commission's Communication to the Council, the European Parliament and the European Economic and Social Committee on the creation of a more simple and paperless environment for customs of 24 April 2003 - [COM(2003) 452 final - Official Journal C 96/2004];
- Council Resolution of December 5, 2003 for endorsing the Communication by the Commission on a simple and paperless environment for customs and trade, OJ No C 305/2003;
- Commission's proposal to the Council and the European Parliament for a Decision on the implementation of a paperless environment for customs and trade (Electronic Customs Decision), COM(2005) 609;
- Electronic Customs Multi-annual Strategic Plan (MASP) of the Commission, Working document TAXUD/477/2004 Rev.7;
- Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code, and its subsequent amendments, OJ 1992 L 302;
- Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Regulation, and its subsequent amendments, OJ 1993 L 253;
- Regulation (EC) 648/2005 amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code, OJ 2005 No L 117;
- Commission's proposal to the Council and the European Parliament for a modernised Customs Code, COM/2005/608;
- Parliament's Decision no.24 of 28.12.2004 for entrusting the Government's confidence, Government Programme for 2005-2008, O.J. Part I no.1.265 of 29.12.2004;
- Government's Decision no.1.552 of 01.11.2006 concerning the reorganisation and functioning of the National Customs Authority. O.J. Part I no.207 of 08.11.2006;
- Council Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products – consolidated version (OJ L 76, 23.03.1992);
- Council Directive 92/79/EEC of 19 October 1992 on the approximation of taxes on cigarettes (OJ L 316, 31.10.1992);
- Council Directive 92/79/EEC of 19 October 1992 on the approximation of taxes on cigarettes (OJ L 316, 31.10.1992);
- Council Directive 92/80/EEC of 19 October 1992 on the approximation of taxes on manufactured tobacco other than cigarettes (OJ L 316, 31.10.1992);
- Council Directive 92/83/EEC of 19 October 1992 on the harmonization of the structures of excise duties on alcohol and alcoholic beverages (OJ L 316, 31.10.1992);
- Council Directive 92/84/EEC of 19 October 1992 on the approximation of the rates of excise duty on alcohol and alcoholic beverages (OJ L 316, 31.10.1992);
- Council Directive 95/59/EC of 27 November 1995 on taxes other than turnover taxes which affect the consumption of manufactured tobacco (OJ L 291, 06.12.1995) ;
- Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity (OJ L 283, 31.10.2003);
- Decision No1.152/2003/EC of the European Parliament and of the Council of 16 June 2003 on computerising the movement and surveillance of excisable products (OJ L 162, 01.07.2003);

Council Regulation (EC) No2.073/2004 of 16 November 2004 on administrative cooperation in the field of excise duties (OJ L 359, 04.12.2004);

Law no.571/2003 concerning the Fiscal Code (Official Journal no.927 of 23.12.2003)

Modified through:

Government Ordinance no.83/2004 for the modification and completion of Law no.571/2003 concerning the Fiscal Code (Official Journal of Romania no.793/27.08.2004)

Law no.494/2004 for the approval of Government Ordinance no.83/2004 for the modification and completion of Law no.571/2003 concerning the Fiscal Code (Official Journal of Romania no.1.092/24.11.2004)

Government Ordinance no.138/2004 for the modification and completion of Law no.571/2003 concerning the Fiscal Code (Official Journal of Romania no.1.281/30.12.2004)

Law no.163/2005 for the approval of Government Ordinance no.138/2004 for the modification and completion of Law no.571/2003 concerning the Fiscal Code (Official Journal of Romania no.466/2005)

Law no.343/2006 for the modification and approval of Law no.571/2003 concerning the Fiscal Code (Official Journal of Romania no.662 of 01.08.2006)

Government Ordinance no.43/2006 for the modification of art.199 paragraph (1), letter d) of Law no.571/2003 concerning the Fiscal Code (Official Journal of Romania no.662/01.08.2006) - with application starting with 1st January 2007.

Government Decision no.44/2004 for the approval of the Methodological Norms for applying the Fiscal Code (Official Journal of Romania no.112 of 06.02.2004)

Modified through:

Government Decision no.1.840/2004 for the modification and completion of the Methodological Norms for applying the Fiscal Code (Official Journal of Romania no.1.074/18.11.2004)

Government Decision no.84/2005 for the modification and completion of the Methodological Norms for applying the Fiscal Code (Official Journal of Romania no.147/18.02.2005)

Government Decision no.610/2005 for the modification and completion of the Methodological Norms for applying the Fiscal Code (Official Journal of Romania no.147/18.02.2005)

Government Decision no.580/2006 for the modification and completion of the Methodological Norms for applying the Fiscal Code (Official Journal of Romania no.400 of 09.05.2006)

Government Decision no.1.861/2006 for the modification and completion of the Methodological Norms for applying the Fiscal Code (Official Journal of Romania no.1.044 /29.12.2006)

Government Ordinance no.92/2003 concerning the Code of Fiscal Procedure (Official Journal of Romania no.941 of 29.12.2003);

Law no.174/2004 for the approval of the Government Ordinance no.92/2003 concerning the Code of Fiscal Procedure (Official Journal of Romania no.465 of 25.05.2004)

Modified through:

Government Ordinance no.35/2006 for the modification and completion of Government Ordinance no.92/2003 concerning the Code of Fiscal Procedure (Official Journal of Romania no. 675 of 07.08.2006)

Government Decision no.710/1996 concerning the country entering, exit and transit of excised goods (Official Journal of Romania no.200 of 27.08.1996)

Modified through

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Government Decision no.1.238/1996 for the modification and completion of Government Decision no.710/1996 concerning the country entering, exit and transit of excised goods (Official Journal of Romania no.313 of 27.11.1996)

Government Decision no.533/2005 for the completion of the annex to the Government Decision no.710/1996 concerning the country entering, exit and transit of excised goods (Official Journal of Romania no.521 of 20.06.2005)

Government Decision no.697/2006 for the completion of the annex to the Government Decision no.710/1996 concerning the country entering, exit and transit of excised goods (Official Journal of Romania no.486 of 05.06.2006)

Government Decision no.977/2004 for increasing the level of the excises for certain products (Official Journal of Romanian no.570 of 29.06.2004);

Order of the NCA no.217/2004 concerning the completion of the list of the customs office through which the importation of gasoline and Diesel fuel is permitted;

Order of the Minister of Public Finance no.1.939/2006 for the approval of the procedure of compensating the fiscal debts resulted out of the customs judicial and of restitution of the possible differences, as following to the request for compensation/restitution lodged by the contributor owning the customs operation. (Official Journal of Romania no.936/20.11.2006).

ANNEX 5 - LESSONS LEARNT FROM PREVIOUS YEARS

Identified Gaps or Recommended courses of intervention	Action for covering the Gap or implement the recommended intervention	Phare Programming (Project Reference) 2004-2006	Transition Facility
May 2006 Comprehensive Monitoring Report (Chapter 2.5) Romania must maintain the pace of progress in preparing the remaining IT systems for interconnectivity upon accession. Training at all levels within the customs administration should continue. Romania should continue increasing its efforts to strengthen the collection and control capacity of the tax administration, with particular regard to excise duties and direct taxation.	Development of the ICIS and implementation of the national IT modules to ensure the compatibility with the EU IT system associated to the 'paperless' principles (MASP) Improving the competencies for the custom staff both at central and territorial level Taking over of the excise management activity	RO04/IB/FI-07 "Assistance to the NCA for the improvement of Human Resources policies including training and ethics". Increasing the integration level of new IT and communication systems - TA and Supply under 2005 and 2006 Phare Programme Development and implementation of the national control export system (ECS) - TA under Services 2005 Phare Programme Update of the Romanian Customs Declaration Processing system in accordance with the Commission Regulation (EC) No. 2286/2003 - Framework Phare 2004 No previous PHARE assistance was granted in the field of excise duties exclusively.	Improving the operational and administrative capacity of the customs authority through the components: Component 1 - "Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project" 1.1. - "Continuing the development of IT system related to the interconnectivity with the EU systems" (technical assistance) 1.2. - "Updating the Romanian Customs Declaration Processing System (RCDDS) in accordance with the requirements of the AIS at the national level" (technical assistance) 1.3. - "Development and implementation of the NCTS security and safety aspects and of the NCTS/TIR at the level of NCTS customs offices" (technical assistance) Component 2 - "Improving the competencies for the customs staff both at central and territorial level" (twinning) Component 3 - "Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority" (twinning)

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ANNEX 6 – BUDGET BREAKDOWN ESTIMATION

1. Budget breakdown estimation for Component 1 – „Development of the ICIS in compliance to the EU/DG TAXUD IT Strategy in respect of the E-Customs Project” – 1.90 MEuro

1.1 “Continuing the development of IT system related to the interconnectivity with the EU systems“(technical assistance)-1.20 MEuro

Activities	Estimated cost per activity (Euro)	No. of man-days						Total man day per activity
		Expert 1 - Team Leader (cat. II)	Expert 2 - Customs Expert (cat. II)	Expert 3 - IT Expert (cat. II)	Expert 4 - IT Expert (cat. II)	Expert 5 - Training Expert (cat. II)	Other Experts	
Project management	210 000	300	0	0	0	0	0	300
Reports elaboration	99 400	52	25	25	20	20	0	142
1. Updating/development of the TARIC-RO, existing Tariff related systems in accordance with DG TAXUD technical and functional specification relating to TARIC 3, Quota 2, ECICS 2, EBTI 3, etc, interfacing between them and interfacing with CDPS and others ICIS components	91 000	0	30	50	20	0	30	130
2. Updating/development of the TARIC-RO, Tariff related systems, CDPS databases in conformity with of the TARIC 3, Quota 2, ECICS 2, EBTI 3, etc, databases structure	140 000	0	30	50	40	0	80	200
3. Updating/development of the Calculating module and its integration into updated TARIC-RO and CDPS	105 000	0	20	35	35	0	60	150
4. Testing of the updated TARIC-RO, updated Tariff related systems, of the interfaces between them and the interface with CDPS	126 000	0	20	50	50	0	60	180
5. Conformity updated TARIC-RO, updated Tariff related systems Testing in accordance with DG TAXUD testing requirements and with requirements of the CCN/CSI environment	91 000	0	40	50	20	0	20	130
6. Implementation of the updated/developed TARIC-RO, Tariff related systems, CDPS, Calculating module, deployment, and fully operational	133 000	0	40	60	50	0	40	190
7. Training for IT administrators and customs staff (50 customs officers and 20 IT personnel)	70 000	0	20	10	10	60	0	100

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Activities	Estimated cost per activity (Euro)	No. of man-days					Other Experts	Total man day per activity
		Expert 1 - Team Leader (cat. II)	Expert 2 - Customs Expert (cat. II)	Expert 3 - IT Expert (cat. II)	Expert 4 - IT Expert (cat. II)	Expert 5 - Training Expert (cat. II)		
8. Conference sessions for Trade Community	24 500	0	20	5	0	10	0	35
9 Elaboration of corresponding manuals for the customs staff and traders	63 000	0	20	10	0	60	0	90
10. Delivery of special training for the TARIC HelpDesk personnel and evaluation	42 000	0	10	0	10	40	0	60
Total 1707 man days	1 194 900	352	275	345	255	190	290	1 707

Total activities: about 1,195,000 Euro (1707 man-days multiplied by about 700 Euro)

The assignment requires the participation of 5 (five) key experts, respectively:

- Expert 1 – Team Leader (cat. II)
- Expert 2 – Customs Expert (cat. II)
- Expert 3 – IT Expert (cat. II)
- Expert 4 – IT Expert (cat. II)
- Expert 5 – Training Expert (cat. II)

Expenditure verification: about 5,000 Euro

Total costs estimation = about 1,200,000 Euro

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26/11/2007

1.2. "Updating the Romanian Customs Declaration Processing System (RCDPS) in accordance with the requirements of the AIS at the national level" (technical assistance) – 0.70 MEuro

Activities	Estimated cost per activity (Euro)	No. of man-days					Total man day per activity
		Expert 1 – Team Leader (cat. II)	Expert 2 – Customs Expert (cat. II)	Expert 3 – IT Expert (cat. II)	Expert 4 – IT Expert (cat. II)	Expert 5 – Training Expert (cat. II)	
Project management	163 800	234	0	0	0	0	234
Reports elaboration	73 500	30	25	20	10	20	105
1. Update of the RCDPS with the new functionalities and improve the existing features in order to cover the National Domain functionalities related to the	196 000	0	100	110	70	0	280
Interaction of the RCDPS with Summary Declaration Component, Control Management Component and Security Risk Assessment Component	38 500	0	20	25	10	0	55
Consolidation of summary declaration data and extraction from the Common Domain in National Domain	28 000	0	15	15	10	0	40
Consolidation of control and risk assessment data	28 000	0	15	15	10	0	40
Performing automated risk assessment	28 000	0	15	15	10	0	40
Communicate control decision and control result to relevant parties	28 000	0	15	15	10	0	40
Development of the external message communication component between National Domain and External Domain, other domains taking into account the requirements for standardisation (messages, procedures, protocols)	45 500	0	20	25	20	0	65
2. Creation of a pilot and testing the updated RCDPS and the interactions with the Summary Declaration Component, Control Management Component and Security Risk Assessment Component	112 000	0	50	60	50	0	160
3. Elaboration of corresponding manuals for RNCA staff	49 000	0	20	10	0	40	70
4. Training for IT administrators and for customs staff (20 customs officers and 10 IT personnel)	45 500	0	15	5	5	40	65

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Activities	Estimated cost per activity (Euro)	No. of man-days					Total man day per activity
		Expert 1 – Team Leader (cat. II)	Expert 2 – Customs Expert (cat. II)	Expert 3 – IT Expert (cat. II)	Expert 4 – IT Expert (cat. II)	Expert 5 – Training Expert (cat. II)	
5. Conferences sessions for Trade Community (2 two)	20 300	0	10	5	0	14	29
6. Implementation of AIS HelpDesk	35 000	0	10	5	5	30	50
Total 993 man days	695 100	264	230	215	140	144	993

Total activities: about 695,000 Euro (993 man-days multiplied by about 700 Euro)

The assignment requires the participation of 5 (five) key experts, respectively:

- Expert 1 – Team Leader (cat. II)
- Expert 2 – Customs Expert (cat. II)
- Expert 3 – IT Expert (cat. II)
- Expert 4 – IT Expert (cat. II)
- Expert 5 – Training Expert (cat. II)

Expenditure verification: about 5,000 Euro

Total costs estimation = about 700,000 Euro

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1.3. "Development and implementation of the NCTS security and safety aspects and of the NCTS/TIR at the level of NCTS customs offices" – 0.70 MEuro

Activities	Estimated cost per activity (Euro)	No. of man-days					Total man day per activity
		Expert 1 - Team Leader (cat. II)	Expert 2 - Customs Expert (cat. II)	Expert 3 - IT Expert (cat. II)	Expert 4 - IT Expert (cat. II)	Expert 5 - Training Expert (cat. II)	
Project management	210 000	300	0	0	0	0	300
Reports elaboration	67 900	52	20	20	0	5	97
A. NCTS/TIR							
1. Development of the NCTS/TIR	38 500	0	20	35	0	0	55
2. Testing of NCTS/TIR and its integration into the Romanian NCTS	21 000	0	10	20	0	0	30
3. Implementation of the Romanian NCTS with the newly NCTS/TIR	28 000	0	15	25	0	0	40
4. Design and delivery of Train the Trainer programmes and evaluation of the trained personnel (40 customs officers and 20 IT personnel)	17 500	0	5	5	0	15	25
5. Elaboration of corresponding manuals for the customs staff and traders	21 000	0	10	5	0	15	30
6. Conference sessions for Trade Community	14 000	0	5	5	0	10	20
7. Delivery of training for the NCTS HelpDesk personnel and evaluation	21 000	0	5	5	0	20	30
B. NCTS – Security and Safety							
1. Development of NCTS – Security and Safety Aspects	56 000	0	30	50	0	0	80
2. Testing of NCTS – Security and Safety Aspects (130 man days)	42 000	0	20	40	0	0	60
3. Conformance Testing of NCTS – Security and Safety Aspects	31 500	0	20	25	0	0	45
4. Implementation of Romanian NCTS with the newly developed Security and Safety Aspects at the level of NCTS customs offices	52 500	0	30	45	0	0	75
5. Design and delivery of Train the Trainer programmes and evaluation of personnel (for 30 customs staff and for 10 IT administrators)	21 000	0	5	5	0	20	30
6. Elaboration of corresponding manuals for the customs staff and	21 000	0	10	5	0	15	30

Activities	Estimated cost per activity (Euro)	No. of man-days					Total man day per activity
		Expert 1 - Team Leader (cat. II)	Expert 2 - Customs Expert (cat. II)	Expert 3 - IT Expert (cat. II)	Expert 4 - IT Expert (cat. II)	Expert 5 - Training Expert (cat. II)	
7. Conference sessions for Trade Community (two)	14 000	0	5	5	0	10	20
8. Delivery of training for the NCTS HelpDesk personnel and evaluation	18 200	0	5	5	0	16	26
Total 993 man days	695 100	352	215	300	0	126	993

Total activities: about 695,000 Euro (993 man-days multiplied by about 700 Euro)

The assignment requires the participation of 5 (five) key experts, respectively:

- Expert 1 - Team Leader (cat. II)
- Expert 2 - Customs Expert (cat. II)
- Expert 3 - IT Expert (cat. II)
- Expert 4 - IT Expert (cat. II)
- Expert 5 - Training Expert (cat. II)

Expenditure verification: about 5,000 Euro

Total costs estimation = about 700,000 Euro

2. Budget breakdown estimation for Component 2 – “Improving the competencies for the customs staff both at central and territorial level” –

0.80 MEuro

- RTA costs (remuneration, allowances, training)- -about 270,000 Euros
- RTA Assistant and Interpreter costs – -about 22,000 Euros
- PL costs (participation in SC and coordination meetings) - about 27,500 Euros
- Final evaluation of the project - about 7,000 Euros
- Audit certificate - about 5,000 Euros
- Provision for changes in prices (max. 2.5 % of sub-total) - about 19,500 Euros
- Cost for the inputs of short term experts - about 448,500 Euros,

detailed as follows:

Activity	No. of Short Term experts per mission	Estimated cost
Activity 1 Assessment of the existing customs training system	2	29.900
Activity 2 Identification of the training needs in order to ensure a uniform and unitary customs training system, both at central level and regional level	2	44.850
Activity 3 Designing and delivering of training packages adapted to the NCA's new structure and responsibilities (excises, own resources, customs debt, e-customs, Common Agricultural Policy, etc)	2	44.850
Activity 4 Designing of a programme for a wider benefit of the RCA training function in order to multiply the effects of the “core” training (cascade training)	2	44.850
Activity 5 Organisation of 3 workshops for selected target group of high, middle managers and executive level in the field of managing the process of changes (50 persons)	2	44.850
Activity 6 Organisation of 3 workshops for 40 selected managers on identifying individual and group training and development	2	44.850

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needs			
Activity 7			
Designing a programme for evaluating the impact of the training programme already delivered and its integration into the customs training system	2		29.900
Activity 8			
Achieving the preparedness on the benefits of regular updated training to the customs officers as a solid base for future progression	2		29.900
Activity 9			
3 Workshops for staff involved in e-learning system's administration (for IT and training department/compartments staff)	2		44.850
Activity 10			
Delivering and loading of new training materials and new modules on e-learning platform	2		29.900
Activity 11			
Establishing standards for evaluating the trainers performances and the efficiency of training activities and its integration into the customs training system	2		29.900
Activity 12			
Elaboration of methodology for selecting and train the trainers and its integration into the customs training system	2		29.900
Total			About 448.500

The estimated cost for each activity (mentioned in the 3rd column) will cover: travel costs for ST experts, per-diem in Romania for ST experts, accommodation for ST experts, interpretation, translation, experts' fees. Each activity includes more missions.
All the amounts mentioned are indicative.

The estimated average fee per day for experts was considered about 350 Euro.

Total cost estimation = about 800.000 Euros

The BC co-financing for effective implementation of the twinning will be further detailed in the twinning contract. To ensure smooth implementation of the project, the beneficiary will provide adequately equipped office space with telephone, PC (Internet) and fax. Photocopier and access to the necessary information as well as secretarial support will be ensured during the project life-time. In addition the beneficiary will provide space and facilities for workshops (training), consultations and seminars.

3. Budget breakdown estimation for Component 3 - "Assistance to the Romanian Customs Authority for strengthening the administrative and operational capacity to ensure the transfer of the excise management to the Customs Authority" - 0.80 MEuro

- RTA costs (remuneration, total costs of the local travels, costs of training) -about 270,000 Euros
- RTA Assistant and Interpreter costs -
 - about 22,000 Euros
- PL costs (participation in SC and coordination meetings) - about 27,500 Euros
- Final evaluation of the project - about 7,000 Euros
- Audit certificate - about 5,000 Euros
- Provision for changes in prices (max. 2.5 % of sub-total) - about 20,000 Euros
- Cost for the inputs of short and medium term experts - about 448,000 Euros,

detailed as follows:

Activity	No. of experts per mission	Estimated cost
Activity 1 Amendment of the specific legislation (level 2 and 3) in order to adapt the existing provisions to the customs specific environment, in relation with the transfer of excise management to the NCA (2 short term experts)	2	38.400 (about 12.800 per mission)
Activity 2 Improvement of the Fiscal Code updating procedures, applied on biannual basis, related to the excise field, and the synchronisation with the specific procedures applied at the level of Ministry of Public Finance (2 short term experts)	2	38.400
Activity 3 Evaluation of the current situation and to recommend improvements in the organizational chart, the information flow, the methodologies and working procedures (medium term expert and 1 short term expert)	2	25.600
Activity 4 Evaluation of the current situation and to recommend improvements in the attributions and responsibilities for the specific structures in the field, at central and territorial level (including the authorisation of the economic agents) (2 short term experts)	2	25.600
Activity 5 Evaluation of the current situation and to recommend strengthening the operative capacity of ELO, and the subordinated units, in the field of excise (medium term expert and 1 short term expert)	2	25.600

Activity	No. of term experts per mission	Estimated cost
Activity 6 Evaluation of the current situation and make recommendations to: • improve the methodologies and working procedures for ELO and for authorized units • adapt them to the customs environment (medium term expert and 1 short term expert)	2	25.600
Activity 7 Evaluation of the current situation and make recommendations to improve the procedures regarding the internal and international jurisprudence (appeals) in the excise field (2 short term experts)	2	25.600
Activity 8 Elaboration of the action plans referring the specific activities, responsibilities, milestones and the estimated deadlines related to the transfer of excise management to the NCA (phase I) (medium term expert and 1 short term expert)	2	25.600
Activity 9 Elaboration of the action plans referring to the specific activities and responsibilities related to the transfer to the NCA of the IT components related to the excise management and interoperability (2 short term experts)	2	25.600
Activity 10 Elaboration the action plans referring the specific activities, responsibilities, milestones and the estimated deadlines related to the transfer of excise management to the NCA (phase II) (medium term expert and 1 short term expert)	2	25.600
Activity 11 Development of the training programmes for train the trainers, dedicated to the field of the specific legislation and best practice in surveillance of the excisable goods movement, targeted to the customs personnel (RTA + 2 short term experts)	2	38.400
Activity 12 Delivery of a training for trainers 30 customs staff based on the approved training for trainers programme (RTA + 2 short term experts)	2	25.600
Activity 13 Organisation and carrying on 2 sessions of conference targeted to the representatives of the Trade Community, in order to inform them about all new procedures which are referring to their activity in excise field (RTA + 2 term experts)	2	25.600
Activity 14 Evaluation of the annotations and requests for clarification received from the representatives of the Trade Community in order to improve the excise management by NCA (2 short term experts)	2	25.600
Activity 15 Elaboration of the draft of terms of reference and technical specifications referring the related investments and technical assistance projects foreseen to continue the strengthening of the excise management (2 short term experts)	2	25.600

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Activity 16 Evaluation of the NCA appropriateness for managing the specific aspects of the excise management and elaboration of the related study (medium term expert + 1 short term expert)	2	25.600
Total		About 448.000

The estimated cost for each activity (mentioned in the 3rd column) will cover: travel costs for experts, per-diem in Romania for MT and ST experts, accommodation for MT and ST experts, interpretation, translation, experts' fees. Each activity includes more missions.

All the amounts mentioned are indicative.

The estimated average fee per day for experts was considered about 350 Euro.

Total cost estimation = about 800.000 Euros

The BC co-financing for effective implementation of the twinning will be further detailed in the twinning contract. To ensure smooth implementation of the project, the beneficiary will provide adequately equipped office space with telephone, PC (Internet) and fax. Photocopier and access to the necessary information as well as secretarial support will be ensured during the project life-time. In addition the beneficiary will provide space and facilities for workshops (training), consultations and seminars.

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