
STATUTORY INSTRUMENTS

2019 No. 326

The Customs (Import Duty, Transit and Miscellaneous Amendments) (EU Exit) Regulations 2019

PART 2

Miscellaneous Amendments

Amendment of the Customs (Temporary Storage Facilities Approval Conditions and Miscellaneous Amendments) (EU Exit) Regulations 2018

5.—(1) The Customs (Temporary Storage Facilities Approval Conditions and Miscellaneous Amendments) (EU Exit) Regulations 2018^{M1} are amended as follows.

(2) In Schedule 1—

- (a) in paragraph 1 omit sub-paragraph (c);
- (b) after paragraph 3 insert—

“4. The operator, and any directors or senior employees of the operator—

- (a) must not have been involved in a breach of an obligation relating to tax or a Customs obligation, which in the opinion of an officer of Revenue and Customs is—
 - (i) a serious breach having regard to the circumstances, nature and number of breaches; and
 - (ii) relevant to the suitability of the operator to operate a TSF; and
- (b) must not have a criminal conviction which in the opinion of an officer of Revenue and Customs is—
 - (i) serious having regard to the type of conviction; and
 - (ii) relevant to the suitability of the operator to operate a TSF.

5. In this Schedule—

[^{F1}“Customs obligation” has the same meaning as in regulation 2 of the Customs (Import Duty) (EU Exit) Regulations 2018;]

“EUCL” means the direct EU legislation referred to in paragraph 1(1) of Schedule 7 to the Act;

“EU Customs Code” means—

- (a) Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code;

- (b) Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning provisions of the Union Customs Code; ^{F2}...
- (c) Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code; [^{F3}and]
- (d) [^{F4}Commission Delegated Regulation (EU) 2016/341 of 17 December 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards transitional rules for certain provisions of the Union Customs Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446;?].

^{F5}(3)

Textual Amendments

- F1** Words in reg. 5(2)(b) substituted (30.12.2020) by [The Customs \(Transitional\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1449\)](#), regs. 1(3), **14(2)(a)**
- F2** Word in reg. 5(2)(b) omitted (30.12.2020) by virtue of [The Customs \(Transitional\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1449\)](#), regs. 1(3), **14(2)(b)(i)**
- F3** Word in reg. 5(2)(b) inserted (30.12.2020) by [The Customs \(Transitional\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1449\)](#), regs. 1(3), **14(2)(b)(ii)**
- F4** Words in reg. 5(2)(b) inserted (30.12.2020) by [The Customs \(Transitional\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1449\)](#), regs. 1(3), **14(2)(b)(iii)**
- F5** Reg. 5(3) omitted (3.10.2019) by virtue of [The Customs and Excise \(Miscellaneous Provisions and Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1215\)](#), regs. 1(3)(e), **15(2)**

Commencement Information

- I1** Reg. 5 not in force at made date, see reg. 1(2)
- I2** [Reg. 5](#) in force at 31.12.2020 by [S.I. 2020/1643](#), reg. 2, **Sch.**

Marginal Citations

- M1** [S.I. 2018/1247](#).

Changes to legislation:

There are currently no known outstanding effects for the The Customs (Import Duty, Transit and Miscellaneous Amendments) (EU Exit) Regulations 2019, Section 5.