



Brussels, 28 January 2015.

PTC MANAGEMENT

Involvement of the private sector in the PTC meetings - Update of the PTC Terms of Reference -

(Item XIV. (c) on the Agenda)

Introduction

1. The PTC had on several occasions in the past raised its concerns about the low level of attendance of private sector representatives at its meetings, despite the fact that the discussions to a large extent focus on trade facilitation and on improving Customs-business cooperation. The PTC has been attended on a regular basis by a number of private sector associations, but its Terms of Reference (ToR) have so far not foreseen the attendance of individual companies.
2. The Correspondence Group on the Future of the PTC, established in 2013, had raised the same concern during its discussions, concluding that the private sector could be attracted by topics of specific interest to them. It was felt that a more appropriate mechanism was necessary to ensure regular involvement of the private sector.
3. The recent Council and Policy Commission discussions/decisions on the future of the WCO Private Sector Consultative Group (PSCG) have opened a window of opportunity for the involvement of private sector companies (members of the Private Sector Consultative Group) in WCO Committee meetings, including the PTC.

Private Sector Consultative Group (PSCG)

4. At the last Policy Commission meeting in December 2014, the meeting agreed on revised ToR for the PSCG with a view to their taking effect in June 2015. The Secretary General emphasized the importance of a valid contribution by the private sector to the work of the Organization, and that under the new ToR, there would be ample opportunity

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to work closely with the PSCG, and indeed with the private sector as a whole, to achieve more efficient and effective engagement in the work of the Organization.

Update of the PTC Terms of Reference

5. To reflect the decision taken by the Policy Commission, the Secretariat is proposing an amendment to the ToR of the PTC that will allow participation not only of private sector associations, but also of individual private sector companies which are members of the PSCG.
6. The updated ToR will need to be confirmed by the Council in June 2015, in order to allow PSCG members to be invited to the autumn 2015 sessions of the PTC.

Conclusion

7. The PTC is invited to endorse the updated Terms of Reference of the PTC.

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TERMS OF REFERENCE FOR THE PERMANENT TECHNICAL COMMITTEE

Confirmed by the Council - June 2005

Established : Article V of the Convention establishing a Customs Cooperation Council (CCC), of 15 December 1950

Duration : Unspecified

1. Mandate

The Permanent Technical Committee (PTC) acts under the overall direction of the WCO Council and Policy Commission, with administrative support provided by the WCO Secretariat.

The role assigned to the PTC at its inception was to initiate technical studies (other than as regards Nomenclature and Valuation) with the object of enabling the Council to discharge the obligations of the Convention establishing the CCC in accordance with the general purposes of the Convention. For this purpose, the powers conferred upon the Council by virtue of Article III of the Convention are, save as regards the provisions of paragraphs (c), (d), (e) and (h) of that Article, delegated to the Committee insofar as they are necessary for the execution of its functions. The Committee does not have the power to make recommendations to Governments of Members or to international organizations without the express authority of the Council.

The Committee also performs such particular tasks as may be assigned to it by the Council or under the terms of Conventions adopted by the Council.

2. Membership

As is specified in Article X (a) of the Convention establishing the CCC, the PTC is composed of representatives of the Members of the Council. Each Member may nominate one delegate and one or more alternates to be its representatives on the Committee.

The representatives should be officials responsible, within their administrations, for matters relating to Customs procedures and trade facilitation.

The Committee ~~may decide to regularly~~ invites representatives of international organizations, business/private sector associations and members of the Private Sector Consultative Group (PSCG) in their individual capacity to attend sessions of the Committee as observers.

3. Purpose and scope

The functions of the Permanent Technical Committee are to:

- contribute to the strategic direction of work done by the WCO in respect of the promotion, development and administration of trade facilitation instruments and tools, in accordance with the WCO Strategic Plan;

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- help to enhance co-operation between Customs administrations and governmental and non-governmental (private sector) organizations in the field of trade facilitation;
- introduce and promote initiatives aimed at improving the effectiveness of Customs through information technology and electronic commerce, Customs co-operation and the establishment of various legal instruments;
- develop various tools designed to enhance efficiency in trade (particularly the Guide to measure the time required for the release of goods), and promote their use by Members;
- contribute to the development of means and methods to facilitate, simplify and harmonize the Customs formalities applicable to postal consignments;
- provide strategic support for the WCO's capacity building programmes for its Members.

4. Key deliverables

The Permanent Technical Committee will:

- report to and make recommendations to the Council on the matters within its area of responsibility;
- take decisions, or initiate or undertake actions in the areas for which it is responsible.

5. Means of operation

Chairperson:

The PTC elects a Chairperson and a Vice-Chairperson each year, from among the representatives of its Members. The Chairperson and Vice-Chairperson are elected for a period of one year, and are eligible for re-election.

Agenda:

The WCO Secretariat, in consultation with the PTC Chairperson, draws up the Agenda for each session and circulates it to the Members of the Committee at least 30 days in advance of the opening day of the session, although this period may be reduced in case of emergency. Working documents, especially those which may require consultation at the national level, should also be made available to the Members in sufficient time.

The Agenda comprises all items whose inclusion has been approved by the Council, and all items whose inclusion has been proposed by the Secretary General, the PTC Chairperson or any WCO Member.

The Committee may also:

- establish such Working Parties as it may deem necessary to assist it in the performance of its functions;
- determine, in accordance with WCO Council guidelines, and direct the activities of the working bodies falling within its competence;

- co-operate, promote joint projects, and share information and experiences with international, governmental and non-governmental organizations, ~~and~~ business/private sector associations and PSCG members whose activities are related to Customs procedures and trade facilitation. These partners participate as Observers in the Committee.

6. Resources required

Under the terms of Article XII (a) of the Convention establishing the CCC, each Member of the Council bears the expenses of its own delegation to the PTC. Travel and other associated costs are therefore borne by participants' administrations.

The general arrangements for PTC sessions, including in particular the invitations, the dates and duration of each session and the priorities to be fixed for the items on the Committee's Agenda, shall be the responsibility of the WCO Secretariat.

The Committee holds its sessions as and when required and subject to approval by the Council.
