Republic of Macedonia
PM to the UN, WTO and Other IOs in Geneva

TFA Implementation
Some Practical Aspects

Geneva, May 2018
Basic Assumptions

TF is never-ending story
TF is homework
TF activities are not isolated island
Ownership of the reforms
Capacity of TF implementation entities
Role of customs authorities
Licensing / Inspection authorities - challenges
TF implementation entities – what to do!

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Ownership of the Reforms

Political will: Wide political consensus
Legislation: New laws, sub-laws, amendments
Leadership: Motivation and dedication
Resources: Financial, human, other
Continuity: Management, staff, experts

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Capacity of TF Implementation

Entities

Functional & sustainable mechanisms

- Business processes
- Organization of work
- Strategic planning
- HRM
- ICT support
- Transparency

- Retaining the knowledge
- Enriching the institutional memory
- Self development
- Self controlling

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Capacity of TF Implementation Entities

- Functional & sustainable mechanisms
- Business processes
- Organization of work
- Strategic planning
- HRM
- ICT support
- Transparency

Conducted functional analyses
Are there identified business processes
Are there written procedures
What is the scope of written procedures

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**Capacity of TF Implementation Entities**

**EDMS of CARM (in production since 2010)**

1. Processing and archiving electronic documents and images of paper documents
2. Electronic signature and circulation of electronic documents
3. Monitoring the status of the document (preparation, distribution, location, movement, archive, history, security, authenticity)
4. Identification of business processes and standard types of documents and contact points, relations between business processes and types of documents
5. Fixed maximum time period required for processing of each document
6. Determined received/sent internal mail or documents, attachments and links (scanning, classifying, marking, recording, sending, receiving)
7. Assignment of the documents, authorizations
8. Written procedures, manuals, training
Capacity of TF Implementation

Entities

Functional & sustainable mechanisms

Business processes

Organization of work

Strategic planning

HRM

ICT support

Transparency

Mission

Vision

Tasks and competences

Priorities

Programs

Responsibilities

Resources

Review

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Capacity of TF Implementation
Entities

- Functional & sustainable mechanisms
- Business processes
- Organization of work
- Strategic planning

HRM
- Is there real HRM
- Job descriptions
- Recruitment, competences
- Career
- Training
- Discretionary rights
- Integrity

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Capacity of TF Implementation
Entities

Functional & sustainable mechanisms
Business processes
Organization of work
Strategic planning
HRM
ICT support
Transparency

ICT Strategy
Access control, security of data
Continuity in the functioning of ICT systems
Project management
Life cycle management of the applications

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Capacity of TF Implementation Entities

- Functional & sustainable mechanisms
- Business processes
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- Transparency

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Role of Customs Authorities

**Cooperation**
- Differed debt payment
- Binding origin information
- Binding tariff information
- TIR certificates
- Temporary admission procedure
- Incomplete declaration
- Relief of customs duties
- Customs warehousing
- AEO

**Legislation**
- Simplified customs procedures
- Customs procedures with economic impact
- Other permits
- Customs brokers
- Elimination of fees
- Efficiency assessment

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Role of Customs Authorities

Permits and licenses

Customs clearance

E-Customs

Customs control

Cooperation

Legislation

- Categorization of BCPs
- Integrated border management
- Pre-arrival & pre-departure information
- Local customs clearance
- 24/7, preferably at BCPs, no fees
- Efficiency assessment

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Role of Customs Authorities

Macedonian single window for issuing import, export and transit licenses and tariff quotas EXIM
- In production since 2008
- Participate 15 public institutions
- Conduct over 220 harmonized and standardized data, controlled request and electronic issuance of customs permits – PEC
- Single frame for all information for obtaining import, export and transit licenses
- E-submission and issuance of 60 different import and export licenses, transit licenses and tariff quotas
- Service availability 24/7
- Average time required to issue a license: 2 to 3 hours
- Arranged with Implementation regulation for administration of EXIM, adopted by the Government

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Role of Customs Authorities

- Organization and coordination of special investigations
- Application of special investigative measures and special equipment, drug sniffing dogs
- Mobile units,
- Detention and interrogation of suspected persons
- Control of customs documents, at home and abroad
- Preparation of criminal charges
- Administarting an electronic stop list of suspected entities, CCTV, ANPR
- Customs laboratory

Intelligence
Risk analyses
Investigations
Physical control
Documentary control
Post clearance control
IPR protection
Efficiency assessment

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Role of Customs Authorities

Permits and licenses

Customs clearance

E-Customs

Customs control

Cooperation

Legislation

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# Role of Customs Authorities

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Effective organization and regular review of licensing and inspection systems could significantly contribute to facilitating trade.

Besides customs, economic operators have the most contacts with the licensing, inspection and tax authorities.

The tax authorities are not included in this presentation.
Some issues that could be subject to permanent monitoring

Does the regulation have a strict distinction between inspection and licensing?

Are there inspection authorities competent for both: inspection and licensing, and vice versa? Is it always justified? Is there a conflict of interest?

Permanent review of the need for certain licenses and inspections or their modification?
Some issues that could be subject to permanent monitoring

- Permanent review of possible overlaps of competences between licensing and inspection authorities at the central government level, regional and local.

- Monitoring the number and type of inspection authorities at the central government level, regionally and locally. How many of them are independent legal entities, and how many are organizational units composed of other bodies?
Some issues that could be subject to permanent monitoring

Permanent review of the harmonization of regulations and overlapping of competences

Monitoring of the inspection measures provided for in the event of determining the irregularity (education, elimination of irregularity, reprimand, mandatory punishment, fine, seizure of objects, criminal charge, permanent or temporary ban on work)
Licensing / Inspection Authorities - Challenges

Some issues that could be subject to permanent monitoring

Permanent review whether the envisaged inspection measures are proportional to the established irregularity

Application of unique procedures and the form and structure of the inspection report

Research on possibilities for transferring certain inspection competences to other bodies (general practitioner and physician specialist).

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Council of the Inspection Authorities

Umbrella of the inspection authorities at the central government level in the following areas:

- Market, labor relations, safety and health at work
- Protection of the environment and protection of human health
- Construction, urbanism and transport
- Agriculture, forestry, veterinary and food safety
- Education, science and culture
- Administrative procedures

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Licensing / Inspection Authorities - Challenges

Council of the Inspection Authorities

Competences

- Coordination of the inspection authorities
- Administration of the registry of regulations by areas of inspection and inspection authorities (around 200 laws plus by-laws)
- Administering a register with detailed data for the inspection authorities (a total of 28)
- Approves the acts of organization of work and the job description of the inspection authorities and administer a register of them
- Administrates registers for staffing and technical equipment of the inspection authorities, as well as for the budgets and their realization

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Licensing / Inspection Authorities - Challenges

Council of the Inspection Authorities

Competences

Adopts training programs for each type of inspector and organizes the training

Adopts licensing exam programs for each type of inspector, prepares questions and conducts exams and periodical checks of the knowledge of the inspectors

Issuance and revocation of licenses for an inspector

Gives an opinion on the programs and plans for the work of the inspection authorities

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Licensing / Inspection Authorities - Challenges

Competences

- Approves the coefficient of complexity of inspections for each type of inspector
- Approval of quarterly work plans of each inspector, with expected quantitative result, calculated on the basis of the planned number of inspections and the coefficients of complexity of the inspection
- Quarterly and annual assessment of the work performance of each inspector
- Administers a register with detailed records for each inspection carried out by each inspector
Licensing / Inspection Authorities - Challenges

Council of the Inspection Authorities

- Competences
  - Adopts a code of ethics for inspectors
  - Decides upon complaints against inspectors
  - Organizes disciplinary procedures for inspectors
  - Introducing new methods and techniques for performing inspection, including risk analysis
  - In certain cases it gives direct orders for performing inspection
  - Planning and organizing coordinated inspections from several inspection authorities

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Licensing / Inspection Authorities - Challenges

Council of the Inspection Authorities

Competences

- Gives an opinion on the quarterly and annual reports of the inspection authorities
- Providing an opinion on laws, by-laws and other regulations in the field of inspection

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TF Implementing Entities – What to Do

Identification and fully and effectively exploit the existing measures and infrastructure related to TF

Exchange of experiences on specific TF issues, domestically and internationally

Cooperation on development of concrete TF projects, domestically and internationally

Regular thematic meetings with associations of business community on TF issues

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TF Implementing Entities – What to Do

- Regulatory guillotine
- Establishment of interoperability
- Development of single window

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THANK YOU

Geneva, May 2018