

**SUBJECT: EC Regulation No. 312 of April 16, 2009.**

**Starting E.O.R.I. (Economic Operator Registration and Identification) system from July 1<sup>st</sup>, 2009.**

**Use of E.O.R.I. number in Customs declarations**

Among the activities planned by the Multi Annual Strategic Plan (MASP) for the year 2009 within the implementation of Decision No. 70/2008/EC of the European Parliament and Council on a paperless environment for Customs and trade, and as established by Regulation (EC) No. 312/2009, the launch of the system of registration and identification of traders called EORI (Economic Operator Registration and Identification) is planned for 1 July 2009.

Regulation No. 312/2009 provides that Member States must assign an identification code - unique throughout the Community - to economic operators and other persons involved in activities covered by customs legislation. This code should be used in all relations between these actors and Customs administrations and for the exchange of information between the Customs administrations of different Member States.

The EORI structure comprises **an alphanumeric code of maximum 15 characters - unique in the Member State that grants the code - preceded by the alpha 2 ISO code of the Member State (IT for Italy).** In particular, in each Member State (MS) Customs or the designated authority shall be responsible, ~~by~~ for the registration of the economic operators established in the MS, while economic operators with no EORI code and not established in the Community customs territory are registered by the Member State where they first perform one of the operations specified in Article 41 of Regulation (EEC) No. 2454/1993, as amended by Regulation No. 312/2009.

**1. Submission of applications for EORI registration by operators not established in the Community customs territory and by national traders**

Economic operators not established in the Community customs territory and with no EORI number shall be registered by the Customs authority or the designated authority of the Member State where they first perform one of the operations specified in Article 41 of Regulation (EEC) No. 2454/1993, as amended by Regulation No. 312/2009.

For registration purposes, the application for EORI registration must be submitted to any Customs office and according to the prescribed model (see [Application form for the assignment of an EORI number](#) available - in English - in the ecustoms.it section of the website of the Italian Customs Agency: [http://www.agenziadogane.it/wps/wcm/connect/ed/Servizi/ecustoms\\_it/Eori/](http://www.agenziadogane.it/wps/wcm/connect/ed/Servizi/ecustoms_it/Eori/)).

The application may be submitted also by entities established in Italy, not yet holding an EORI code but wishing to obtain it before they perform a customs operation in Italy.

In order to determine the identity of entities established in Italy or in a third country applying for EORI, the application must be accompanied by:

- **If natural person:** passport or other valid ID document of the applicant, in original;
  - **If legal person or association of persons, as referred to in Article 4 (1) of the Community Customs Code:**
    - a document from the business register (original providing identification data and issued at the latest six months earlier by the authorities responsible for the business register or by chambers of commerce (in Italy or in the third country)).
    - passport or other valid ID document, in original, of the applicant. If the person submitting the application is not the natural person, or the legal representative of the legal person or association of persons to whom the EORI code is granted, the following must also be submitted:
      - a notarial power of attorney, in original;
- or
- an act of delegation, in original, together with the document of the delegating person, in original.

## 2. **Consent for publication**

Regulation (EC) No. 312/2009 establishes that each Member State must send its own EORI database - recorded at a National level – and the relevant updates to the Central Services of European Commission, that makes them available to the other Member States. The Commission's D.G. Taxud may publish Identification and registration data on economic operators and other persons **on its own website** only if the persons concerned have freely given specific, informed written consent to the publication of:

- EORI code granted;
- surname and name or corporate name;
- full address of residence or establishment.

Individuals established in a third country or in Italy and applying for EORI registration can give specific, informed written consent by filling in the dedicated section and by presenting the appropriate form at any customs office (see [Consent for data publication on the Commission EORI website](#) available - in English - in the ecustoms.it section of the website of the Italian Customs Agency:

[http://www.agenziadogane.it/wps/wcm/connect/ed/Servizi/ecustoms\\_it/Eori/](http://www.agenziadogane.it/wps/wcm/connect/ed/Servizi/ecustoms_it/Eori/)).