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DRAFT

ECONOMIC OPERATORS REGISTRATION AND IDENTIFICATION SYSTEM

GUIDELINES

LEGAL NOTICE

This document contains EORI guidelines explaining the obligations and how to fulfil them. However, users are reminded that the text of the Customs Code and Customs Code Implementing Provisions are the only authentic legal reference and that the information in this document does not constitute legal advice.

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Introduction

The EORI system is established in order to implement the security measures introduced by Regulation (EEC) No 2913/92, as amended by Regulation (EC) No 648/2005 of the European Parliament and of the Council¹. They will be more effective if the persons concerned can be identified by a common number that is unique to each individual and valid throughout the Community. Traders have consistently been calling for this ever since mandatory identification codes for traders were introduced by Regulation 2286/2003².

An EORI number means a number, unique throughout the European Community, assigned by a customs authority or designated authority or authorities in a Member State to economic operators and other persons in accordance with the rules laid down in Part I, Title I, Chapter 6 of the CCIP. The provisions on the EORI number did not limit nor undermine the rights and obligations derived from rules governing the requirement to register for, and be issued with, an identification number in individual Member States which may be required in fields other than customs, like taxation or statistics”.

By registering, for customs purposes, in one Member State operators are able to obtain an EORI number that is valid throughout the Community. Obviously, in order to benefit fully from this reform, holders must use the EORI number – once it has been assigned – in all communications with any EC customs authorities where a customs identifier is required.

Customs authorities in the EC must have easy and reliable access to operators’ registration and identification data. In order to ensure this, a central electronic system will be developed for storing data on the registration of economic operators and other persons and for exchanging data on EORI numbers between customs authorities. This central system will hold data listed in Annex 38d that is currently stored in each national system in the Member States.

The Member States should take measures to reduce burdens for economic operator concerning introduction of the EORI system.

Costs relating to implementation of the EORI system will be shared between the Community and the Member States in accordance with paragraphs 2 and 3 of Article 10 of the Decision on a paperless environment for customs and trade³.

The EORI Guidelines will need to be further explained and illustrated with examples of best practice after the EORI legislation enters into force. Without practical experience and in view of the highly specific situations arising, it is difficult to provide more guidance at this stage.

¹ OJ L 117, 4.5.2005, p. 13.

² OJ L 343, 31.12.2003, p. 1.

³ OJ L 23, 26.1.2008, p. 21.

Abbreviations

AEO	Authorised Economic Operator
CC	Customs Code
CCIP	Customs Code Implementing Provisions
EC	European Community
EU	European Union
OJ	Official Journal
SAD	Single Administrative Document

1. REGISTRATION

1.1. Who will have to be registered for an EORI number?

1.1.1. Economic operators established in the customs territory of the Community

Article 1(12) of the CCIP stipulates that “Economic operator means: a person who, in the course of his business, is involved in activities covered by customs legislation”.

Pursuant to Article 4(1) of the CC “person” means:

- a natural person,
- a legal person,
- where the possibility is provided for under the rules in force, an association of persons recognised as having the capacity to perform legal acts but lacking the legal status of a legal person.

The national law of each Member State defines who is a natural person, a legal person, or an association of persons recognised as having the capacity to perform legal acts but lacking the legal status of a legal person.

Examples of association of persons recognised as having the capacity to perform legal acts but lacking the legal status of a legal person are: ...

(to insert a list of legal forms of entities that in accordance with the national law of MS are legal persons or have the capacity to perform legal acts but they are lacking the legal status of a legal person)

Entities that are legal persons or have the capacity to perform legal acts but lack the legal status of a legal person AND in the course of their business, are involved in activities covered by customs legislation, need to be assigned an EORI number. An entity may have only one EORI number to be used, if required, in all communications with any Community customs authorities.

Consequently, an EC-based supplier **not involved in customs activities** that supplies raw materials already in free circulation to an EC-based manufacturer is under no obligation to apply for an EORI number. Similarly, a transport operator who is **not involved in any Member State in any activities covered by customs legislation** and who only moves goods in free circulation within the customs territory of the Community will not have to have an EORI number.

Pursuant to Article 4(2) of the Customs Code, a person is established in the Community, if:

- a) in the case of a natural person, he is normally resident there,
- b) in the case of a legal person or an association of persons, it has in the Community:
 - its registered office, or
 - central headquarters, or
 - a permanent business establishment⁴.

⁴ The general definition of a permanent business establishment is included in the OECD model treaty.

Economic operators should apply for registration of an EORI number **before** they start activities covered by customs legislation e.g. before he starts his export or import operation (even if these operations are not planned to take place in the near future). Economic operators who have not applied for registration may do so during their first operation.

However, an EORI registration process may take several days, hence; it is recommended to apply for the EORI number in advance , **before starting customs operations**.

Registration of the economic operator who is established in the EU should always be in the Member State where he is established. Even if the first operation takes place in another Member State the economic operator has to contact his Member State of establishment to be assigned an EORI number.

In their registration process economic operators shall apply the national rules of the Member States where they are established (see also 1.4 below).

1.1.2. Economic operators not established in the customs territory of the Community

Economic operators not established in the customs territory of the Community should be registered, if they perform one of the following (see Article 41(3) of the CCIP):

- (a) lodge in the Community a summary (e.g. a summary declaration for temporary storage) or customs declaration **other than:**
- a customs declaration made in accordance with Articles 225 to 238 of the CCIP, or
 - a customs declaration made for the temporary importation procedure (temporary importation e.g. for an exhibition or re-export of these goods in accordance with Art. 137 CC) ;
- (b) lodge in the Community an exit or entry summary declaration;
- (c) operate a temporary storage facility pursuant to Article 185(1) of the CCIP;
- (d) apply for an authorisation pursuant to Article 324a or 372 of the CCIP;
- (e) apply for an Authorised Economic Operator certificate pursuant to Article 14a of the CCIP⁵.

Examples based on these provisions:

- a Chinese exporter whose goods are consigned to an EC consignee is not required to apply for an EORI number. However, if he wants , e.g., to lodge in the Community one of the declarations listed above he will have to be registered for an EORI number;
- a Canadian economic operator who declares goods for the temporary importation procedure under a ATA Carnet will not have to apply for an EORI number.

Economic operators not established in the Community are recommended to apply for registration of an EORI number **before** they start any of the activities listed above.

Economic operators who have not applied for registration may do so during their first operation (for authorities responsible for the EORI registration see point 1.2. below). However, the registration

⁵ For further information about an Authorised Economic Operator certificate see the website of DG TAXUD:
http://ec.europa.eu/taxation_customs/customs/policy_issues/customs_security/index_en.htm#auth_eco

process may take several days, hence; it is recommended to apply for registration in advance in the Member States where the planed activities will take place.

1.1.3. Persons other than economic operators

Persons other than economic operators should be registered if such registration is required by the legislation of a Member State, if they have not previously been assigned an EORI number and if they are engaged in operations for which an EORI number must be provided pursuant to Annex 30a or Annex 37, Title I.

1.2. Authorities responsible for the EORI registration

It is solely up to the Member States to decide which authorities are responsible for assigning the EORI number.

The list of authorities responsible for assigning EORI numbers in each Member State is published on the website of DG TAXUD:

[http://ec.europa.eu/taxation_customs/customs/procedural_aspects/.....\(link to be established\).](http://ec.europa.eu/taxation_customs/customs/procedural_aspects/.....(link to be established).)

1.3. Place of registration

1.3.1. Economic operators established in the customs territory of the Community (see 1.1.1 above) must be registered by the customs authority or the designated authority of the Member State in which they are established ⁶ (Article 4I(1) of the CCIP).

⁶ An economic operator is established in the Member State, if:

- a) in the case of a natural person, he is normally resident there,
- b) in the case of a legal person or an association of persons, it has in the Member State:
 - its registered office, or
 - central headquarters, ora permanent business establishment.

Multinational companies

Multinational companies usually consist of a parent company and several entities, that are each an **individual legal person**, i.e. a separate legal entity registered in the local company register in accordance with the company law of the Member State where the relevant entity is established, or they are **an association of persons** recognised as having the capacity to perform legal acts but lacking the legal status of a legal person (Article 4(1) CC).

Example

Parent company P is established in Germany. It has two entities: S1, registered in Belgium, and S2, registered in Austria. Both entities are legal persons.

Parent company P is not involved in any Member State in any activities covered by customs legislation, but its entities are.

Parent company P will not have to be assigned an EORI number since it is not an economic operator, as defined in Article 1(12) of the CCIP (the company is not involved in activities covered by customs legislation in any Member State). However, its entities will be subject to the obligation imposed by Article 4(1) of the CCIP and will have to have an EORI number. Entity S1 will have an EORI number assigned by the Belgian authority and entity S2 an EORI number assigned by the Austrian authority.

Multinational companies: some entities are not “persons” in accordance with Article 4(1) of Customs Code

Multinational companies can also consist of a parent company plus several entities located in different Member States. Some of these entities are, under national company law, **“persons” in accordance with Article 4(1) of Customs Code**, i.e. a separate legal entity registered in the local company register **in accordance with the company law of the Member State** where the relevant entity is established or an association of persons recognised as having the capacity to perform legal acts but lacking the legal status of a legal person. However, other entities are offices/premises/other locations of the company itself but are not "persons" in accordance with Article 4(1) of Customs Code; such entities can therefore not be assigned an EORI number .

Only "persons" may be assigned an EORI number.

Only a "person" can act or be a party in customs transactions e.g. make a customs declaration (Art. 4 (18) Customs Code), be a representative (Art. 5 Customs Code) or be granted an authorisation for a customs procedure with economic impact (in all cases Customs Code or Customs Code Implementing Provisions refers to a "person").

Example 1

Parent company C is established in the UK. It has the following entities: regional office⁷ R1, established in Estonia, regional office R2, established in Germany, and branch office⁸ B1, established in the Netherlands. Neither regional offices R1 and R2 nor branch office B1 are “persons”, as defined by Article 4(1) of the CC.

⁷ Regional office as referred to in articles 14g(b), 324e, 445 and 448 CCIP.

⁸ "Branch office" is the commonly used term but the precise definition is provided in the national laws of Member States.

Parent company C is carrying out in several Member States business activities covered by customs legislation.

Parent company C will be assigned an EORI number by the UK authorities since it is an “economic operator” (it is a person and it is in the course of its business involved in activities covered by customs legislation), as defined by Article 1(12) of the CCIP, established in the UK.

Its entities (R1, R2 and B1) will not have an EORI number since none of them is a “person”, as defined by Article 4(1) of the CC.

Consequently, when parent company PC lodges a customs declaration for goods that will be delivered to regional offices R1, R2 or branch office B1 the EORI number of company PC will be entered in box 14 SAD and in box 8 SAD.

Example 2

Parent company PC is established in Germany. It has the following entities: regional office R1, established in Austria, regional office R2, established in Romania, and branch office B1, established in Slovakia.

Regional office R1 is registered in Austria and is a legal person under Austrian law. Regional office R2 and branch office B1 are not legal persons or associations of persons recognised as having the capacity to perform legal acts but lacking the legal status of a legal person under Romanian and Slovak law respectively. Consequently, they are not “persons”, as defined by Article 4(1) of the CC.

Parent company PC and regional office R1 are carrying out in several Member States business activities covered by customs legislation.

Parent company PC and regional office R1 will each be assigned an EORI number since they are “economic operators”, as defined by Article 1(12) of the CCIP (they are persons and they are in the course of their business involved in activities covered by customs legislation). Parent company PC will be assigned the EORI number by the German authorities and regional office R1 by the Austrian authorities respectively.

Entities R2 and B1 will not have an EORI number since neither of them is a “person”, as defined by Article 4(1) of the CC and, consequently, they are not “economic operators”.

Parent company PC may e.g. make a customs declaration for goods that will be delivered to regional office R1. The EORI number of company PC will be entered in box 14 of SAD⁹ whereas the EORI number of regional office R1 will be indicated in box 8.

When goods will be delivered to branch office B1 the EORI number of parent company PC or regional office R1 will be indicated in box 8 SAD.

Example 3

Parent company P is a legal person and has its headquarter in the USA. It has the following entities: registered office¹⁰ R1, established in Ireland, registered office R2, established in the UK, and registered office R3, established in Denmark.

⁹ For further information about Single Administrative Document see: http://ec.europa.eu/taxation_customs/customs/procedural_aspects/general/sad/index_en.htm

¹⁰ "Registered office" means the address which is registered at the registering authority as the official address of a company. In most countries companies must register in the local companies register. They must declare the location of their business and this location as published in the register is considered the "registered office".

Neither registered office R1 nor registered offices R2 and R3 are legal persons or associations of persons recognised as having the capacity to perform legal acts but lacking the legal status of a legal person under the national law of the country in which they are established. None of them is therefore a “person”, as defined by Article 4(1) of the CC.

Parent company P is carrying out business activities covered by customs legislation from all three of it’s European entities.

Consequently, company P is an economic operator (Article 1(12) of the CCIP: it is a "person" and is in the course of its business, involved in activities covered by customs legislation). It is also established in the EC since it has its registered offices in the Community (Article 4(2) of the CC).

Company P will need an EORI number. However, its registered offices are located in several different Member States. In each of these Member States company P may be required to register for, and be issued with, an identification number used in fields other than customs, like taxation or statistics e.g. a VAT number..

However, for customs purposes, economic operators and other persons may have only one EORI number.

Therefore, the company P may apply for and use **only one EORI number** assigned by one of the Member States, either Ireland or the UK or Denmark.

The table below summarises how the EORI number should be used in several Member States:

The EO is a... (status)	Where is it established?	Action in MS 1	Action in MS X
Natural person	in MS 1	Assign an EORI number	Use EORI number assigned in MS 1
Legal person in	in MS 1	Assign an EORI number	Use EORI number assigned in MS 1
Other person in	in MS 1	Assign an EORI number	Use EORI number assigned in MS 1

Example:

Company A established in Member State 1 lodges an import declaration in Member State X. Information about declarant: company A and its EORI number assigned in Member State 1 will be entered in box 14 SAD.

1.3.2. Economic operators not established in the customs territory of the Community will be registered by the customs authority or the designated authority of the Member State where they first perform one of the activities listed in point 1.1.2 (see Article 4I(3) of the CCIP).

Example

Company C is established in Russia and operates the means of transport on which goods are brought into the customs territory of the Community.

Its transport operations concern several Member States. Company C will transport goods and lodge its first entry summary declaration in Member State X on 8 July 2009. The entry summary declaration must include the EORI number of the person lodging it. In order to obtain the EORI

number, company C will follow the national provisions of country X and will submit its application on 1 July 2009. The EORI number assigned on 6 July will be used to complete the entry summary declaration and for future identification of company C in its dealings with the customs authorities in the EC.

1.4. Registration process

Rules on the registration process for assigning an EORI number are provided in Member States' national legislation.

It is recommendable not to finalise registration of the data listed in Annex 38d to the CCIP until after **authentication of the information provided**.

Before assigning an EORI number the responsible authorities in Member States should consult the EORI system (database replications of the central EORI application in national systems or the central application if a replication is not available at national level) to confirm that the person has not previously been assigned one. The consultations should be made with consideration to the spelling of the name of the person indicated in his identification documents.

The identity of economic operators not established in the customs territory of the Community may be confirmed by:

- in the case of natural persons: a **valid** passport or another travel document¹¹; or
- in the case of legal persons or associations of persons a document from the business register (original or certified copy of an official document providing identification data and issued at the latest 6 months before by the authorities responsible for the business register or by chambers of commerce in the EU or in the third country).

Detailed information on the procedure for assigning an EORI number can be found on the websites of Member States' national customs authorities:

http://ec.europa.eu/taxation_customs/common/links/customs/index_en.htm.

The EORI number is structured as follows:

Field	Content	Field type	Format	Examples
1	Identifier of the Member State assigning the number (ISO alpha 2 country code)	Alphabetic 2	a2	PL
2	Unique identifier in a Member State	Alphanumeric 15	an..15	1234567890ABCDE

Examples:

¹¹ See Article 5 of Regulation No 562/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ 105/2006.

'PL1234567890ABCDE' for a Polish exporter (country code: PL) whose unique national EORI number is 1234567890ABCDE.

LTRU1234567890ABC for a Russian carrier (country code RU) who has been assigned the EORI number in Lithuania (country code LT) and his unique EORI number is 1234567890ABC.

Country code: the Community's alphabetical codes for countries and territories are based on the current ISO alpha 2 codes (a2) in so far as they are compatible with the requirements of Council Regulation (EC) No. 1172/95 of 22 May 1995 (OJ L 118, 25.5.1995) on the statistics relating to the trading of goods by the Community and its Member States with non-member countries. The Commission regularly publishes regulations updating the list of country codes.

2. USE OF AN EORI NUMBER

Once the EORI number has been granted, this unique number must be used in all customs transactions and activities throughout the Community whenever an identifier is required.

Particulars required in customs, entry and exit summary declarations are laid down in Annexes 37, 37a, 38 and 30a of the CCIP (see also Articles 183, 212, 216, 787 and 842b of the CCIP).

However, in order to benefit from facilitations provided by an AEO certificate it is necessary to provide an EORI number in a summary, exit/entry summary or customs declaration.

Since the registration process may take several days, it is recommended to economic operators who do not have an EORI number to apply for registration in advance i.e. before they lodge a summary or customs declaration. The late ("last minute") application for EORI registration (e.g. at a customs office of entry) may result in delay in the processing of summary or customs declarations, since information about the newly assigned EORI number will not be available to electronic customs systems.

When in accordance with Art. 36a (2) CC the summary declaration has been lodged at the customs office located in Member State other than the customs office of entry and the summary declaration is to be transmitted to this customs office of entry, the person lodging the entry summary declaration is recommended to lodge the entry summary declaration (ENS) at the earliest 24 hours after it has been communicated that an EORI number(s) have been assigned.

The tables set out below summarise when the EORI number is required.

Summary declaration*			Transit declaration including particulars for entry and exit summary declaration
	Entry	Exit	
Carrier	<p>Optional: EORI number whenever this number is available to the person lodging the summary declaration</p> <p>Mandatory: In situations covered by Article 183 (6) of the CCIP, the EORI number of the carrier must be provided. The EORI number of the carrier must also be provided in situations covered by Article 184d(2) of the CCIP</p>	-	Only required if different from Principal and then EORI is optional
Notify party	<p>Optional: EORI number whenever this number is available to the person lodging the</p>	-	-

	summary declaration		
Consignor/Exporter	Optional: EORI number whenever this number is available to the person lodging the summary declaration	Optional: EORI number whenever this number is available to the person lodging the summary declaration	Optional: EORI number whenever this number is available to the person lodging the summary declaration Mandatory: if customs office of departure is in the EU and a consignor is an AEO
Person lodging the summary declaration	Mandatory: EORI number	Mandatory: EORI number	Mandatory: EORI number
Consignee	Optional: EORI number whenever this number is available to the person lodging the summary declaration	Optional: EORI number whenever this number is available to the person lodging the summary declaration	Optional: EORI number whenever this number is available to the person lodging the summary declaration Mandatory: if customs office of departure is not in the EU but a consignee is an AEO
Person requesting the diversion	Mandatory: EORI number	-	-
TRADER Authorised Consignee	-	-	TIN (EORI number)

**See Regulation, OJ(to be specified; currently doc. 1603/2008 rev. 3).*

Customs declaration¹			
	Import	Export	Transit
Consignor/ exporter	Optional: EORI number or ad hoc number required by the legislation of the Member State concerned ²	EORI number or ad hoc number	Optional: EORI number or ad hoc number ²
Consignee	EORI number or ad hoc number	Optional: EORI number or number required by the legislation of the Member State concerned ²	Optional: EORI number or number required by the legislation of the Member State concerned ²
Declarant/ representative	EORI number or ad hoc number	EORI number or ad hoc number	-
Principal	-	-	Mandatory: EORI number

¹ See Regulation, OJ(to be specified; currently doc. 1435/2007 rev. 6.2)

² Particulars which Member States may decide to waive.

Note: Ad hoc number means the number that **may be** assigned by the customs administration (so they can also refuse to assign it) **for the declaration concerned**. This number is not an EORI number and will not be exchanged in the EORI system. The objective of ad hoc numbers is to serve in exceptional situations when the person has not yet received an EORI number but in accordance with Annex 37 to the CCIP, is required to indicate his/her identification number in the customs declaration. Ad hoc numbers cannot be used in entry and exit summary declarations. The rules concerning the management of this number (i.e. if and how is to be assigned) should be established in national provisions of Member States.

3. PLAYERS INVOLVED IN THE EORI SYSTEM AND THEIR MAIN ACTIVITIES

3.1. European Commission

The European Commission provides the infrastructure and services for the following main tasks:

- Storage of the EORI data at central level;
- Collection of the national EORI data provided by the Member States to the central repository;
- Providing (pushing) EORI data to the Member States' systems;
- Consultation of the EORI data and checking of AEO status against the central repository;
- Provision of a public interface for checking the validity of EORI numbers against the central repository and for access to EORI registration data (see point 4.1.2);
- Provision of a public interface for access to the list of Member States' authorities responsible for granting EORI numbers.

3.2. Member States

The main roles and responsibilities of the Member States (MS) are as follows:

- Each MS must designate the authority or authorities responsible for the registration process and for granting EORI numbers if the customs authority is not responsible for assigning EORI numbers.
- The MS must notify the Commission of the designated authority or list of authorities which economic operators or, where appropriate, other persons must contact in order to be granted EORI numbers.
- Each MS has to decide whether a number already assigned (e.g. the VAT number) will be reused or a new one must be given. Moreover, MS have to select, from the existing national data held, the records that are relevant to the EORI system.
- When the system becomes operational, MS must provide the central system with their national EORI data on a regular basis. In particular Member States are strongly recommended to send as soon as possible the new EORI registration data to the central system managed by the European Commission (see 3.1 above)
- Each MS is responsible for operating the national system on its premises. MS with a national EORI database have to ensure that their national database is kept up-to-date, complete and accurate.

3.3. Economic operators

In the EORI context, the role of economic operators, or other persons, is to:

- Initiate the registration procedure with the national authority of a Member State (see Chapter 1 above).

- Provide the information and regular updates to the information required by the national legislation of the Member State responsible for registration and fulfil the criteria set by the designated authority and/or customs authority.

3.4. Users

External users may have access to **some** of the EORI data made available via the Europa web portal (over the Internet; see 4.1.2 below). They have access to the public interface of the EORI system (requiring no identification, authentication or authorisation by the system) to check if the EORI number is active and/or the name and address of the person concerned if the consent for publication has been given (see 4.1.2.)

4. PERSONAL DATA PROTECTION AND EORI

4.1. General

The EORI system and the data exchanged between the EORI and the national IT systems must comply with the applicable directives, regulations and decisions on security and data protection, i.e.:

- Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data;
- Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data;
- Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations;
- Commission Decision C(2006) 3602 of 16 August 2006 concerning the security of information systems used by the European Commission.

Member States should involve national Data Protection Authorities in the implementation of the EORI system.

4.1.1. Information to be provided

Without prejudice to national provisions implementing Directive 95/46/EC, the following information has to be provided to the persons whose personal data are processed for the purpose of granting an EORI number about:

- (a) the purposes for which the data are to be processed;
- (b) the recipients or categories of recipients of the data;
- (c) the purposes for which data are disclosed;
- (d) the data retention period;
- (e) the identity of the controller (Article 2(d) of Directive 95/46/EC);
- (f) the right of access to and to rectify the data concerning them and the address of the authority before which these rights may be exercised (if this information is provided electronically there should be a link to the authority);
- (g) contact details of supervisory authorities which will hear claims concerning protection of personal data.

This information should be provided in writing at the time when the registration data are collected.

The Commission and the Member States are both controllers ("co-controllers") in accordance with Article 2(d) of Directive 95/46/EC and Article 2(d) of Regulation (EC) 45/2001.

4.1.2. Publication of identification and registration data

Identification and registration data on economic operators and other persons listed in Annex 38d, points 1, 2 and 3 (an EORI number, the full name of the person, the address of establishment or residence) may be published by the Commission on the Internet only if the persons concerned have freely given specific, informed written consent to such publication.

The authority should also inform them that publication is not compulsory and that refusal of publication will in no way affect either processing of their application for an EORI number or any customs formalities involving the person concerned.

In this context, "consent" must be understood as any freely given specific, informed indication of wishes by which economic operators or other persons signify their agreement to personal data relating to them being published.

This will involve giving proper information about the fact that the data may be disclosed to the public via the Internet, apart from any other information that would be necessary to consider the consent as "freely given, specific and informed".

The request for consent should be specific and clearly distinguished in the text from any other information provided to economic operators and others. The text of the consent should be consulted with national data protection authorities.

Once it is given, such consent must be communicated, in accordance with the national legislation of the Member States, to the designated authority or authorities of the Member States or to the customs authorities.

An EORI number and the data listed in Annex 38d shall be processed in the central system for the period of time stipulated in the legal provisions of the Member States that uploaded the data. Once this period of time expired, the Member States must delete that EORI number from their national systems.