

SPOTLIGHT ON DISPUTES RELATED TO CUSTOMS PROCEDURES

2021 saw a particularly steep increase in the number of complaints about parcels from non-EU countries. Specifically, 1,558 complaints were lodged, most of which were related to the customs clearance procedure, as well as the calculation of VAT and possible import duties by the customs agencies of postal operators on behalf of the Customs and Excises Administration.

Two consecutive events shed light on this development. **Firstly, from 1st January 2021 following Brexit, the implementation of the clearance procedure of all goods imported from the UK. Secondly, and indeed this has been the cause of the majority of such disputes, the entry into force of the new EU VAT rules for online trade from 1st July 2021 onwards.**

1.276 COMPLAINTS

RELATED TO CUSTOMS COSTS BETWEEN JULY 1ST AND DECEMBER 31ST 2021



282 COMPLAINTS

RELATED TO CUSTOMS COSTS BETWEEN JANUARY 1ST AND JUNE 30TH 2021



385 COMPLAINTS

RELATED TO CUSTOMS COSTS IN 2020

CASE

STATEMENT BY AN ADDRESSEE IN BELGIUM COMPLAINING ABOUT THE PROCEDURE IN PLACE RELATED TO THE RECEPTION OF PARCELS FROM HIS DAUGHTER (WHO LIVES IN JAPAN):

"My daughter sent me yet again a Christmas parcel with the mention of "gift" explicitly referenced on the parcel (see photo in attachment). And even on the photo (available on Track & Trace), you can clearly see this mention. But again, I was asked to pay customs fees of €33.12 for a package worth €38.61. But this time we requested a review of the customs fees... I can't give you a precise figure for the number of Belgians residing in a country outside of the European Union, but I think it must be around 80,000 families. I think, therefore, that it is not

too much to ask the postal operator to ensure that a satisfactory solution is found for all these citizens living outside of the European Union."

APPEAL TO THE AUTHORITIES

THE OFFICE OF THE OMBUDSMAN FOR THE POSTAL SECTOR RECOMMENDS THAT THE AUTHORITIES ANALYSE THE UNINTENDED CONSEQUENCES OF THE APPLICATION OF THE NEW EU VAT RULES FOR E-COMMERCE AND, IF NECESSARY, PROCEED TO THE APPROPRIATE ADJUSTMENTS.

2021 AT A GLANCE

8.321 MEDIATION REQUESTS

4.810 INADMISSIBLE MEDIATION REQUESTS

3.511 ADMISSIBLE MEDIATION REQUESTS

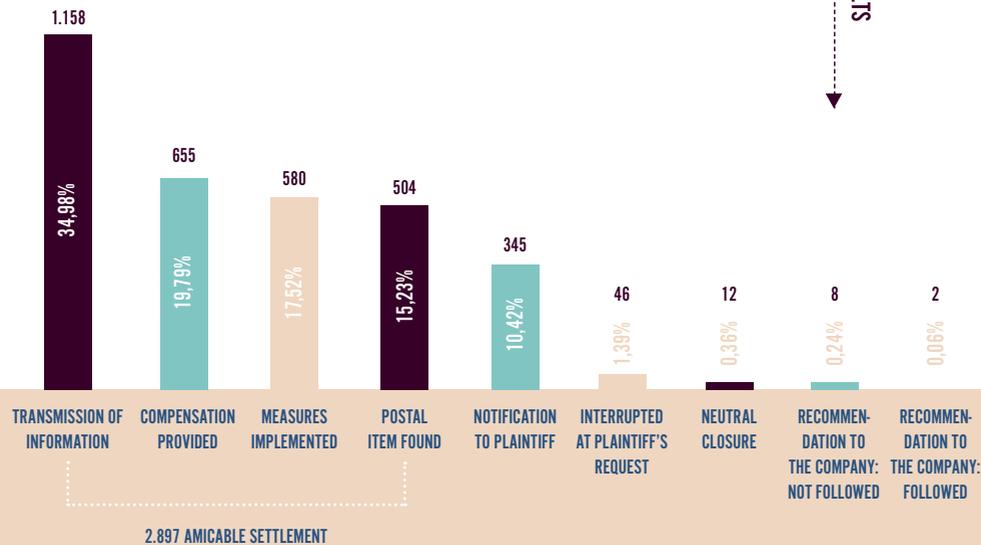
+322 MEDIATION REQUESTS TRANSFERRED FROM 2020

3.833 MEDIATION CASES

3.310 CLOSED MEDIATION CASES

523 MEDIATION CASES TRANSFERRED TO 2022

RESULTS



KEY FIGURES FOR MEDIATION REQUESTS

A MORE DETAILED PICTURE OF THE POSTAL SECTOR: EACH MEDIATION CASE MAY INCLUDE SEVERAL COMPLAINTS AS PLAINTIFFS WILL INCLUDE ISSUES OF DIFFERENT NATURE IN THEIR REQUEST. IN 2021, THERE WAS, ON AVERAGE, 2,3 COMPLAINTS PER MEDIATION CASE.

8.235 ADMISSIBLE COMPLAINTS

1.639 REGULAR POSTING MAIL

4.559 PACKAGE

1.913 RELATION BETWEEN POSTAL USER AND POSTAL OPERATOR

124 OTHERS

TOP 3

503 LOST POSTAL ITEM
443 ERROR IN DISTRIBUTION
160 REQUEST FOR COMPENSATION

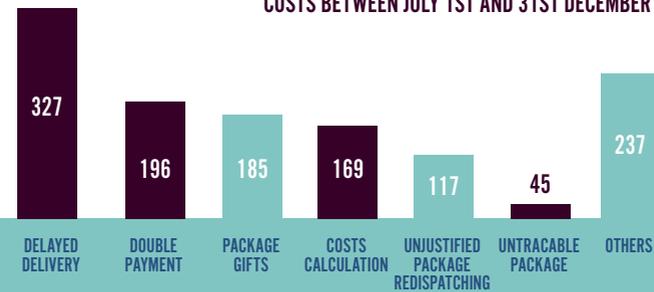
TOP 3

650 CUSTOMER SERVICE DOES NOT PROVIDE A SOLUTION
307 NO REACTION FROM CUSTOMER SERVICE
280 THE PACKAGE ADDRESSEE IS NOT ALLOWED TO FILE A COMPLAINT

TOP 3

1.075 LOST PACKAGE
823 REQUEST FOR COMPENSATION
794 COSTS/BILLING

FOCUSING ON THE 1.276 COMPLAINTS RELATED TO CUSTOMS COSTS BETWEEN JULY 1ST AND 31ST DECEMBER 2021



2021 IN DETAIL: THE ADMISSIBLE COMPLAINTS

THE OFFICE OF THE OMBUDSMAN FOR THE POSTAL SECTOR RECOMMENDS TO THE POSTAL SECTOR:

- to ensure a clear communication with the postal user as regards the calculation of the customs costs for an international package.
- to guarantee the rights of the addressee by opening an investigation at his request, by informing him correctly and, in certain cases that justify it, by paying him a financial compensation for the damage suffered.

THE OFFICE OF THE OMBUDSMAN FOR THE POSTAL SECTOR RECOMMENDS THAT BPOST:

- activates the traceability of each item subject to a customs clearance procedure until it is delivered to its addressee.
- provides alternative solutions to the online payment method for the payment of customs fees.
- provides internal operational improvements to locate parcels lost in the postal system and thus reduce the number of missing parcels.

THE OFFICE OF THE OMBUDSMAN FOR THE POSTAL SECTOR RECOMMENDS THAT THE AUTHORITIES:

- analyse the unintended consequences of the implementation of the new EU VAT rules for e-commerce on tax-free items and, if necessary, make appropriate adjustments.
- study the relevance of electronic tracking of Prior mail in today's postal market characterised by ever decreasing volumes and ever increasing costs.
- establish a legal basis for determining the amount of compensation in case of delay, loss, theft and damage of a national registered item and a national parcel within the scope of the universal postal service.



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