

OPERATING PROCEDURE FOR PORT OF TALLINN  
MUUGA FREE ZONE

1 General provisions

- 1.1 The basis for preparing the operating procedure (hereinafter **operating procedure**) of AS Tallinna Sadam (hereinafter **possessor**) Muuga free zone is:
  - 1.1.1 Regulation (EU) No. 952/2013 of the European Parliament and of the Council laying down the Union Customs Code;
  - 1.1.2 Commission Implementing Regulation No. 2015/2447 (EU) laying down detailed rules for implementing certain provisions of the Union Customs Code;
  - 1.1.3 Commission Delegated Regulation No. 2015/2446 supplementing certain provisions of the Union Customs Code;
  - 1.1.4 Customs Act;
  - 1.1.5 Minister of Finance Regulation No. 58 of 03.07.2017, "Additional instructions for temporary storage, customs warehousing and activity in free zone";
  - 1.1.6 Government of the Republic order No. 181 of 22.06.2017, "Muuga free zone";
  - 1.1.7 Agreement concluded between Tax and Customs Board (hereinafter **MTA**) and possessor on 18.04.2012 regarding installation and use of the automatic number identification system (hereinafter **ANTS**);
  - 1.1.8 procedure for entering port areas (accessible on the possessor's website [www.ts.ee/en/security](http://www.ts.ee/en/security));
  - 1.1.9 an agreement under which the holder <https://www.ts.ee/turvalisus/> grants the rights to use the electronic permit system (hereinafter the **Permit System**) belonging to it.
- 1.2 The operating procedure applies to all persons who have MTA permission or endorsement for activity (industry, commerce and service) on the Muuga free zone territory (hereinafter **free zone**) who arrive, are present and exit the free zone, and goods and means of transport transported into and out of the free zone.
- 1.3 Goods shall be considered to include non-EU goods that must undergo customs formalities both upon entering and exiting the free zone, and EU goods, which are considered as goods by definition of the free zone.
- 1.4 Regular shipping services are considered pursuant to the Union Customs Code to be shipping services between EU ports specified in the relevant line permit, and whose origin and destination port are not located in the free zone or the ship does not call at third country ports (hereinafter **regular shipping service**).
- 1.5 Entrance of persons, means of transport and goods to the free zone by land from elsewhere on the European Union Customs Territory and exiting from the free zone via land to elsewhere on the European Union Customs Territory shall take place without exception via the free zone entrances and exits set forth in the operating procedure (hereinafter **entrances**). The entrances may be classified as freight entrances and/or official entrances.
- 1.6 Upon entering or exiting a free zone, a permit in the possessor's permit system is required pursuant to the procedure set forth in Annex 3 to this operating procedure.
- 1.7 Within the free zone boundaries, gates have been installed for rescue services, these gates are closed and cannot be used as entrances (marked PP on the Map).

- 1.8 The supervision over the free zone and entrances and control over the enforcement of the customs-related legal acts is being performed by Estonian Tax and Customs Board (MTA). At the entrances, customs supervision is exercised on the basis of technical solutions (Annex 1) agreed upon between the MTA, the possessor, AS Eesti Raudtee (hereinafter **ER**) and HHLA TK Estonia AS (hereinafter **HHLA**).
- 1.9 The operating procedure for Muuga free zone has been endorsed by ER and HHLA.
- 1.10 The operating procedure shall come into effect upon signing. The agreement "Operating procedure for the AS Tallinna Sadam Muuga free zone" which entered into on 09.10.2018 becomes invalid with the operating procedure's entry into force.
- 1.11 Annexes:
  - 1.11.1 Annex 1. Technical solutions at entrances (restricted-access document);
  - 1.11.2 Annex 2. Muuga free zone map;
  - 1.11.3 Annex 3. Procedure for use of entrance permit system.

## **2 Entrances**

### **2.1 Entrance A (Põhjaranna tee)**

- 2.1.1 The freight entrance may be used 24 hours a day by:
  - 2.1.1.1 means of transport using regular shipping (ro-ro) services;
  - 2.1.1.2 means of transport whose purpose of entering or exiting the free zone is to transport goods in or out of the free zone;
  - 2.1.1.3 means of transport, laden with goods, or means of transport with status of goods (EU or non-EU origin) whose purpose of entering the free zone is to transport goods into or out of the free zone;
  - 2.1.1.4 means of transport specified in clauses 2.1.1.2 and 2.1.1.3, the purpose of the departure of which is the transport of goods (e.g. aggregate) out of the free zone through automatic gates, subject to prior approval by customs.
- 2.1.2 Use of the official entrance 24 hours a day is allowed for persons who work in the free zone and other persons entering the free zone on foot and with means of transport pursuant to the procedure specified in clause 1.1.8, if the purpose of entering or exiting the free zone is other than transport of goods to or out of the free zone;
- 2.1.3 The MTA shall exercise customs supervision at the entrance in regard to the means of transport specified in clauses 2.1.1.2 and 2.1.1.3;
- 2.1.4 The possessor shall ensure as-required use of the entrance and the registration of persons and means of transport.

### **2.2 Entrance B (Veose 5)**

- 2.2.1 Use of the official entrance is permitted 24 hours a day for persons who work in the free zone, ship's crew members and other persons on foot or by means of transport pursuant to the procedure specified in clause 1.1.8, if the purpose of entering or exiting the free zone is other than transport of goods into or out of the free zone. Oversized goods must be coordinated with the customs upon departure on each occasion, except for regular shipping services;
- 2.2.2 the possessor shall ensure as-required use of the entrance and the registration of persons and means of transport specified in clause 2.2.1.

### **2.3 Entrance C (Lasti tee 13/1)**

- 2.3.1 The freight entrance may be used 24 hours a day by:

- 2.3.1.1 means of transport whose purpose of entering or exiting the free zone is to transport goods in or out of the free zone;
- 2.3.1.2 means of transport laden with goods or constituting goods (EU or non-EU) whose purpose of entering the free zone is to transport goods to or out of the free zone;
- 2.3.2 using the official entrance is permitted 24 hours a day for persons who work in the free zone, ship's crew members and other persons on foot and with means of transport pursuant to the procedure specified in clause 1.1.8, if the purpose of entering or exiting the free zone is other than transport of goods into or out of the free zone;
- 2.3.3 The MTA shall exercise customs supervision at the entrance in regard to the means of transport specified in point 2.3.1;
- 2.3.4 the possessor shall ensure use of the entrance as required and the registration of persons and means of transport specified in clause 2.3.2.

#### **2.4 Entrance D (Railway entrance)**

- 2.4.1 The entrance is not used for entering or exiting the free zone by railway transport with goods;
- 2.4.2 the entrance is opened and closed by the possessor for railway maintenance when necessary;
- 2.4.3 the possessor ensures that the entrance is used according to requirements.

#### **2.5 Entrance E (Main railway entrance)**

- 2.5.1 Use of the entrance is permitted 24 hours a day for entering or exiting the free zone by railway transport with or without goods;
- 2.5.2 the possessor ensures that the entrance is used according to requirements.
- 2.5.3 The MTA shall exercise customs supervision at the entrance over the means of transport specified in clause 2.5.1.

#### **2.6 Entrance M (Railway entrance, AS Betoonelement)**

- 2.6.1 Using the entrance is permitted 24 hours a day for entering or exiting the free zone by railway transport with or without goods;
- 2.6.2 the possessor ensures that the entrance is used according to requirements.
- 2.6.3 The MTA shall exercise customs supervision at the entrance over the means of transport specified in clause 2.5.1.

#### **2.7 Entrance R (Muuga railway station entrance at Nuudi tee 19)**

- 2.7.1 The entrance may be used 24 hours a day by:
  - 2.7.1.1 persons who work in the railway station and other persons on foot and with means of transport if the purpose of entering or exiting the free zone is other than the transport of goods into or out of the free zone;
- 2.7.2 Persons and means of transport shall pass through the entrance on the following grounds:
  - 2.7.2.1 the vehicle permit issued by the ER security department;
  - 2.7.2.2 the entrance card, i.e. personal permit, issued by the ER security department;
  - 2.7.2.3 the permit issued to a person or company temporarily performing services in the railway station, which has been previously endorsed by ER with the relevant employee who has signed a contract or agreement and with the security department;

- 2.7.3 The MTA shall exercise customs supervision at the entrance in regard to the means of transport specified in clause 2.7.1.1;
- 2.7.4 ER shall ensure the as-required use of the entrance and the registration of persons and means of transport.

## **2.8 Entrance S (Nuudi tee entrance)**

- 2.8.1 The entrance may be used 24 hours a day on the basis of the MTA approval by:
  - 2.8.1.1 means of transport with or without goods, whose purpose of entering or exiting the free zone is to transport goods into or out of the free zone;
  - 2.8.1.2 persons who work in the free zone, ship's crew members and other persons on foot and with means of transport pursuant to the procedure specified in clause 1.1.8, if the purpose of entering or exiting the free zone is other than transport of goods into or out of the free zone;
- 2.8.2 The MTA shall exercise customs supervision at the entrance in regard to the means of transport specified in clause 2.8.1.1;
- 2.8.3 the possessor shall ensure as-required use of the entrance and the registration of persons and means of transport specified in clause 2.8.1.2.

## **2.9 Entrance T (Muuga railway station service entrance)**

- 2.9.1 The entrance may be used 24 hours a day by:
  - 2.9.1.1 persons who work at the railway station and other persons on foot and with means of transport if the purpose of entering or exiting the free zone is other than transport of goods into or out of the free zone;
- 2.9.2 Persons and means of transport shall pass through the entrance on the following grounds:
  - 2.9.2.1 the vehicle permit issued by the ER security department;
  - 2.9.2.2 the entrance card, i.e. personal permit, issued by the ER security department;
  - 2.9.2.3 the permit issued to a person or company temporarily performing services at the railway station, which has been previously endorsed by ER with the relevant employee who has signed a contract or agreement and with the security department;
- 2.9.3 ER shall ensure the as-required use of the entrance and the registration of persons and means of transport entering and exiting the free zone.

## **2.10 Regular shipping service entrance (a virtual entrance and exit without physical borders located on Quays No. 13, 14 and 15)**

- 2.10.1 The entrance may be used 24 hours a day only by means of transport using regular shipping services.
- 2.10.2 HHLA ensures that the entrance is used according to requirements.
- 2.10.3 In order to reach regular shipping service entrance, it is necessary to pass through the HHLA entrance at Veose 7. In case of oversize cargo – Gate No. 440.
- 2.10.4 HHLA shall ensure that the HHLA entrance is used according to requirements only by means of transport using regular shipping services.

## **2.11 Virtual entrance of the HHLA railway terminal (virtual entrance and exit located on a registered immovable without physical borders at Hoidla tee 3)**

- 2.11.1 The entrance may be used 24 hours a day only by means of transport using regular shipping services and/or trains;
- 2.11.2 HHLA ensures that the entrance is used according to requirements;

- 2.11.3 In order to get to the entrance, it is necessary to pass through the entrance specified in clause 2.10 and/or the railway entrance at Hoidla tee 5;
- 2.11.4 HHLA shall ensure that the railway entrance is used according to requirements only by means of transport using the services of the Amber Train.

### 3 Obligations

#### 3.1 The possessor undertakes:

- 3.1.1 to organise implementation of the operating procedure in the free zone;
- 3.1.2 to ensure the installation, maintenance and implementation of technical surveillance systems at entrances in possession of the possessor, and the retention of data in the possessor's server pursuant to clause 5 of Annex 3;
- 3.1.3 to ensure that the free zone is surrounded by the required fencing unless agreed otherwise;
- 3.1.4 to mark all entrances and fences with the appropriate signage, unless otherwise agreed;
- 3.1.5 to ensure the implementation of the procedure set forth in clause 1.1.8 at entrances, including:
  - 3.1.5.1 entry of persons and means of transport solely in the case of the existence of the relevant permit;
  - 3.1.5.2 registration of persons and means of transport entering and exiting;
- 3.1.6 to ensure that the MTA has access to the data in the possessor's surveillance and access system;
- 3.1.7 to coordinate proposed amendments to the operating procedure with HHLA, MTA and ER;
- 3.1.8 to notify other persons operating in the free zone who wish to start industrial, commercial or service activity and persons whose activity is not related to storing or processing of goods to be placed in the free zone or free warehouse of the operating procedure and other rules valid in the free zone, including the legal act specified in clause 1.1.4.

#### 3.2 The MTA undertakes:

- 3.2.1 to notify the possessor in writing by e-mail [muuga@ts.ee](mailto:muuga@ts.ee) of persons who have received permit or permission for economic activity, within 3 working days after they were granted the corresponding right;
- 3.2.2 to comply with the procedure for entering port areas.

(signed digitally)

Valdo Kalm  
Chairman of the Management  
Board  
AS Tallinna Sadam

(signed digitally)

Margus Vihman  
Member of the Management  
Board  
AS Tallinna Sadam

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Raigo Uukkivi  
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