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Answer given by Mr Šefčovič
on behalf of the European Commission
(16.9.2026)

According to Article 153(1) Union Customs Code¹, all goods in the customs territory of the EU are presumed to have the customs status of EU goods, unless it is established that they are not EU goods. In principle, means of transport located in the EU or released for free circulation therein are deemed to be EU goods. The flag, plate or any other means of registration of the means of transport is irrelevant to determine the customs status of means of transport.

The establishment of a non-EU status of the goods can only be assessed effectively by the competent national authorities, based on the information and documentation available to them. To this respect, the processes and conditions for a change from an EU registration of a means of transport to a non-EU registration, which are established by other-than-customs legislation, may affect the assessment on the customs status of the means of transport. If the non-EU status of an aircraft is established, while it is in the EU, then the aircraft must be placed under a customs procedure in the EU or be re-exported. Unless the aircraft is released for free circulation in the EU, the temporary admission procedure is the procedure allowing the (non-EU) aircraft to be used in the EU, under certain conditions.

The Commission is not aware of any relevant national practices in Italy breaching the provisions of the Union Customs Code. Regarding the seizures of the private aircrafts, the establishment of such measures, their scope and conditions are decided at national level.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02013R0952-20221212&qid=1586871506392> (OJ L 269 10.10.2013, p. 1).