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## **Presentation of the Law Firm and the Unit “Customs and Foreign Trade Law”**

Dr. Nils Harnischmacher  
Dr. Talke Ovie

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# General Information on the Law Firm

- Founded in 1981
- 22 lawyers (consisting of 13 specialist lawyers and 3 notaries)
- 41 non-lawyers (secretariat, researchers etc.)
- Location: Münster City (harbour complex)



# Expertise

- Labour law (individual / collective)
- Banking and capital market law
- Social law
- Commercial property law / copyright / media law
- Commercial and contract law
- Property law / commercial leasing law
- Insolvency law
- Mergers & acquisitions (M&A)
- Notary's office
- Private and public construction law
- Litigation / mediation
- Insurance law
- Administrative law
- Business law / tax offences
- Customs and foreign trade law

<https://www.hlw-muenster.de/rechtsgebiete/>

# Unit: Customs and Foreign Trade Law

- **Consultancy, contractual drafting, representation, training, audit & compliance for:**
  - **Customs law**
    - Customs procedures, classification, customs valuation, anti-dumping, preferences, AEO, customs audit, internal customs control systems (worldwide), criminal and administrative proceedings
  - **Export control law**
    - German / European export control law (sanctions lists, embargoes, armaments, dual-use items, technology transfer), internal export control systems (worldwide), criminal and administrative proceedings
    - US (re-) export controls (primary & secondary sanctions).
  - **Excise law**
    - Energy / electricity tax; alcohol / tobacco / coffee (permission for a tax warehouse, EMCS, collection, tax exemption, relief, repayment and remission, tax audit, criminal and administrative proceedings
    - As indirect taxation: import VAT law (collection / post-clearance collection, tax deductions)
  - **Prohibitions and restrictions**
    - Waste law (international transfer of waste)
    - Industrial property rights
    - Product safety law
  - **Transport- and freight law**
    - Transport and customs loss

# Publications

- Regular **publications** include:
  - “Praxishandbuch Transport - Logistik • Versicherung • Zoll • Exportkontrolle • Steuern”, Bundesanzeiger Verlag, Köln, 2. Auflage 2018  
<https://shop.bundesanzeiger-verlag.de/exportkontrolle/praxishandbuch-transport/>
  - “Zollverfahren”, Bundesanzeiger Verlag, Köln (Loseblatt)  
<https://www.bundesanzeiger-verlag.de/aw-portal/zoll/produkte/zollverfahren.html>
  - “Die Voranfrage in der Exportkontrolle - Vertrauensschutz für Exporteure?”, in: Recht der Exportkontrolle - Bestandsaufnahme und Perspektiven, S. 205 ff., Deutscher Fachverlag GmbH <https://www.dfv.de/>
  - “Immer Ich! Haftung für Stammdaten”, FOREIGN TRADE, Ausgabe 02/2017, Mendel Verlag <https://www.mendel-verlag.de/foreigntrade/>
  - “Eine Zoll-Odysee mit Folgen”, LT-manager, Ausgabe 01/2017, JM FACHMEDIEN GMBH <https://www.lt-manager.de/>
  - “Zollrechtliche Compliance - Struktur, Belastung und Entlastung zugleich”, LT-Manager, Ausgabe 01/2017, JM FACHMEDIEN GMBH <https://www.lt-manager.de/>

# Presentations / training courses (1)

- Regular **presentations / training courses** for chambers of commerce, associations / seminar providers, software publishers (German / English); e.g.:
  - “Export Controls and Technology Transfer”, TechnologieAllianz e.V.  
[https://www.transferallianz.de/angebote/weiterbildung/detailansicht/cal/event/tx\\_cal\\_phpicalendar/exportkontrolle-beim-technologietransfer/20/08/2019/](https://www.transferallianz.de/angebote/weiterbildung/detailansicht/cal/event/tx_cal_phpicalendar/exportkontrolle-beim-technologietransfer/20/08/2019/)
  - “Protective Duties, Anti-Dumping and Other Measures: Effects on Daily Business”, IHK FORUM ZOLL 2019, IHK Krefeld  
<https://veranstaltung.mittlerer-niederrhein.ihk.de/ihkforumzoll2019>
  - “VAT AND CUSTOMS IN INTERNATIONAL E-COMMERCE”, IHK Essen  
<https://www.essen.ihk24.de/System/vst/2315208?id=306422&terminId=489994>
  - “Technology and Knowledge Transfer relating to Export Controls”, BVL Seminare  
<https://www.bvl-seminare.de/technologie-und-wissenstransfer-in-der-exportkontrolle/>
  - “Customs + Export Controls: The World Is Not Standing Still. Or Is It?”, 4. Mannheimer Transportrechtstag, Universität Mannheim. [www.uni-mannheim.de/media/Lehrstuehle/jura/Maurer/4.MannheimerTransportrechtstag\\_Flyer.pdf](http://www.uni-mannheim.de/media/Lehrstuehle/jura/Maurer/4.MannheimerTransportrechtstag_Flyer.pdf)
  - “Technology Transfer: Conflict between Law and Practice”, Thementag Außenwirtschaft 2019, Bundesanzeiger Verlag, Köln <https://www.bundesanzeiger-verlag.de/aw-portal/aktuelles/thementag-aussenwirtschaft/thementag-aussenwirtschaft-2019.html>

## Presentations / training courses (2)

- Regular **inhouse-training** for companies / groups (German / English); e.g. (updates, special topics, Compliance awareness):
  - “Customs Update + Export Controls”
  - “Foundations of Export Controls and Effects on Companies in Practice”
  - “Tariff Law – Obstacles to Classification”
  - “The New ADSP and Their Consequences in Practice”
  - “Organisation of Preferences in Companies”

For further information, please send an email to an: [Daniela.Ernst@hlw-muenster.de](mailto:Daniela.Ernst@hlw-muenster.de)

- Regular “**HLW Legal Breakfast**” free of charge for clients and interested parties on current topics in “Customs and Foreign Trade Law”.

For further information, please send an email to: [Daniela.Ernst@hlw-muenster.de](mailto:Daniela.Ernst@hlw-muenster.de)

- Frau Dr. Ovie is **lecturer** at:
  - Münster Technical College, University of Applied Sciences, Master’s in Logistics
  - Educational and Research Centre of the Federal Fiscal Administration, Fed. Uni. Of Applied Sciences, Department of Finances (Customs Law), Münster - Gievenbeck
  - Society for International Cooperation (GIZ), Eschborn (participation in the project “Customs Law for Serbia” in Belgrad)

# Global Network / Associations

- **Global Network**

- We work with a global network of lawyers, tax consultants and auditors, especially in the following countries:
  - all EU Member States, Switzerland, Tunisia, USA, China, Canada, Australia, Japan, South Korea, Russia.

- **Associations**

- [Außenwirtschaftsrunde e.V.](#)
  - Dr. Harnischmacher is a member of the board of the “Aussenwirtschaftsrunde e.V.” (“AWR”)
- [Europäisches Forum für Aussenwirtschaft, Verbrauchsteuern und Zoll e.V.](#)
- [Zentrum für Außenwirtschaftsrecht e.V.](#)
- [Deutsche Gesellschaft für Transportrecht e.V.](#)
- [Außenhandelsverband Nordrhein-Westfalen e.V.](#)



# References

- JUVE-Handbuch 2016/2017:
  - *“Dr. Talke Ovie (“Expert in her field”, Competitor; Foreign Trade)”*
- JUVE-Handbuch 2017/2018:
  - *“Dr. Nils Harnischmacher (“Extremely competent and pleasant”, Competitor)”*
- JUVE-Handbuch 2018/2019:
  - *“The law firm offers advice on topics relating to export control and customs law. It has recently succeeded in expanding its business significantly with existing and new clients. [...] German medium-sized companies such as Würth Elektronik or Homann Feinkost regularly use the services of HLW.”*
  - **Clients:** *“Mahle (export controls); Betek (customs law); Grohe (customs law and export controls); Homann (excise and contract law); [...] Würth Elektronik, SAL Heavy Lift and Constellium (export controls); Rhenus and Teekanne (Compliance with foreign trade law); Ruthmann and VDM Metals Group (customs law and import VAT); Mondi Consumer Packaging, Teepack (continuous consultancy on customs law).”*

# Your Contact Partners



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