

## Decree No. 172 of General Administration of Customs

2008-04-02

The Measures for Manifest Administration for Inbound and Outbound Means of Transportation of the People's Republic of China was adopted by the executive meeting of General Administration of Customs on 10 March 2008 and is hereby promulgated. The Measures will become effective on 1 January 2009. The Administration Methods of the Customs of the People's Republic of China for Transmission of Electronic Manifest Data promulgated by Decree No. 70 of General Administration Customs on 1 February 1999 will be repealed simultaneously.

Minister of General Administration of Customs  
28 March 2008

### Measures for Manifest Administration For Inbound and Outbound Means of Transportation of The People's Republic of China

#### Chapter One – General Provisions

Article 1 To standardize Customs administration of manifest of inbound and outbound means of transportation, facilitate and safeguard international trade, the Measures have been formulated in accordance with Customs Law of the People's Republic of China (hereinafter referred to as "the Customs Law") and relevant laws and administrative regulations.

Article 2 The manifest of inbound and outbound means of transportation (hereinafter referred to as "manifest") in the Measures is a carrier of information on goods, articles and passengers on board the inbound and outbound means of transportation. It includes the original manifest, pre-stowage manifest and load (boarding) manifest.

If there are goods or articles on board the inbound and outbound means of transportation, the manifest should include information of the master bill of lading (MB/L) or waybill and the house bill of lading (HB/L) or waybill under it.

Article 3 The Measures are applicable to the Customs administration of manifest of inbound and outbound vessels, aircrafts, trains and road vehicles.

Article 4 Parties who have the obligation to transmit electronic manifest data (hereinafter referred to as "manifest transmission parties") including operators of inbound and outbound transportation vehicles, non-vessel operating common carrier (NVOCC), freight forwarders, shipping agency companies, postal enterprises and express delivery operators, should transmit electronic manifest data to the Customs within the set time limit in accordance with the scope of Customs registration.

Parties who have the obligation to transmit manifest-related electronic data, including operators of Customs-supervised sites, tally companies and shippers of export goods, should transmit relevant electronic manifest data to the Customs within the set time limit.

If the manifest and related electronic data are not transmitted in accordance with the Measures, the Customs may refuse to process the entry or exit declaration formalities for the means of transportation concerned.

If failure to transmit the manifest and related electronic data to the Customs is caused by special reasons like computer failure, relevant documentation may be transmitted to the Customs within the set time limit in paper form upon receipt of approval from the Customs.

Article 5 The Customs shall regard the time of receipt of transmission of primary data of the original manifest as the time of transmission of electronic data of the import cargo manifest; and the Customs shall regard the time of receipt of transmission of primary data of the pre-stowage manifest as the time of transmission of electronic data of the export manifest.

Article 6 Manifest transmission parties, operators of Customs-supervised sites, tally companies and shippers of export goods should register with the Customs Office directly under the General Administration of Customs or authorized subordinate Customs Office of the place of its business operation.

The following documents should be provided by manifest transmission parties to the Customs for the registration:

- (1) Application Form for Registration (Appendix 1);
- (2) Samples of bill of lading (waybill) and manifest;
- (3) Samples of company stamp and relevant business stamps of the enterprise;
- (4) Copy of license or certificate of qualifications issued by competent administrative authorities; and
- (5) Other documents as required by the Customs.

Operators of Customs-supervised sites, tally companies or shippers of export goods should submit to the Customs the document items (1), (4) and (5) mentioned above for registration.

When submitting copies, original documents should also be presented to the Customs for verification.

In case of changes to content already registered with the Customs, manifest transmission parties, operators of Customs-supervised sites, tally companies or shippers of export goods should submit a written application and relevant documents to the Customs for updating the changes.

Article 7 Manifest transmission parties may submit a written request to the Customs for keeping commercial secrets for them and indicate in detail the content to be kept confidential. The Customs should, in accordance with relevant state regulations, undertake the confidentiality obligation and properly store the materials concerning commercial secrets which are provided by manifest transmission parties and related parties.

## Chapter Two – Entry Manifest Administration

Article 8 Before transmitting the electronic data of the original manifest, the operator of the transportation vehicle should inform the Customs the estimated time of arrival at the port of destination within the Customs boundary.

Before the transportation vehicle arrives at the port, the operator of the transportation vehicle should inform the Customs the exact time of arrival at the port.

When the transportation vehicle arrives at the Customs supervised port, the operator of the transportation vehicle should make arrival declaration to the Customs.

Article 9 If there are goods or articles on board the transportation vehicle, the manifest transmission party should submit the primary data of original manifest to the Customs as per below deadline:

- (1) For container vessels, 24 hours before loading. For non-container vessels, 24 hours before arrival at the first destination port of call within the Customs boundary;
- (2) By the time of takeoff for aircraft with flight time of no more than 4 hours. 4 hours before arrival at the first destination port of call within the Customs boundary for aircraft with flight time of more than 4 hours;
- (3) 2 hours before arrival at the first destination station of call within the Customs boundary for trains; and
- (4) 1 hour before arrival at the first destination station of call within the Customs boundary for road vehicles.

Manifest transmission party should submit the secondary data of the original manifest to the Customs before the goods or articles arrive at the port of destination.

Only after the Customs has received the transmission of primary data of the original manifest, the consignees and the entrusted Customs brokers may make goods or articles declaration to the Customs.

Article 10 If the Customs finds there are goods or articles in the original manifest that are prohibited from entering into China, the Customs should notify the operator of the transportation vehicle not to carry it into China.

Article 11 If there will be passengers on board the inbound transportation vehicle, the manifest transmission party should submit the electronic data of the original manifest to the Customs as per below deadline:

- (1) 2 hours before arrival at the first destination port of call within the Customs boundary for vessels;
- (2) 30 minutes before arrival at the first destination port of call within the Customs boundary for aircraft with flight time within 1 hour. 1 hour before arrival at the first destination port of call within the Customs boundary for aircraft with flight time between 1 and 2 hours. 2 hours before arrival at the first destination port of call within the Customs boundary for aircraft with flight time above 2 hours;

- (3) 2 hours before arrival at the first destination station of call within the Customs boundary for trains; and
- (4) 1 hour before arrival at the first destination station of call within the Customs boundary for road vehicles.

Article 12 After receiving transmission of primary data of the original manifest, if the Customs decides not to allow the discharge of goods or articles or disembarkation of passengers, the Customs should notify the manifest transmission party in electronic form of the decision and the reasons behind it.

If the Customs cannot notify the manifest transmission party in electronic form, the Customs should send staff to the site to process the formalities mentioned in the paragraph above.

Article 13 Within 6 hours of completion of discharge of goods or articles from an inbound transportation vehicle, the tally company or the operator of Customs-supervised site should submit a tally report in electronic form to the Customs.

For goods that require tally the second time, the tally report in electronic form may, upon receipt of approval from Customs, be submitted to the Customs within 24 hours after completion of discharge.

Article 14 The Customs should compare the original manifest and the tally report. If there are discrepancies between them, the Customs should notify the operator of the transportation vehicle in electronic form. The operator should report to the Customs the reasons why there are such discrepancies within 48 hours after completion of discharge.

Article 15 The Customs may order the operator of the original transportation vehicle to directly ship back the goods or articles that are not listed in the original manifest.

Article 16 If grouping is needed for inbound goods or articles, the manifest transmission party should file an application in electronic form to the Customs. Upon receipt of approval from the Customs, then grouping of cargo can be proceeded.

After the goods or articles that requires grouping have arrived at the Customs-supervised site, the operator of the Customs-supervised site should submit to the Customs an arrival report of the goods or articles that requires grouping in electronic form.

Within 2 hours of completion of unpacking the goods or articles that requires grouping, the tally company or the operator of the Customs-supervised site should submit a tally report in electronic form of the grouping goods or articles to the Customs.

Article 17 When diversion is needed for goods or articles due to port congestion, the operator of the Customs-supervised site should file a port congestion diversion application to the Customs and get its approval before diversion.

When port congestion diversion is completed, the operator of the Customs-supervised site should submit the arrival report in electronic form on relevant goods or articles to the Customs.

Article 18 The Customs shall carry out inspection and release formalities for the goods or articles after the tally report has been submitted for imported goods or articles, or grouped goods or articles, or the arrival report has been submitted for goods or articles in port congestion diversion.

Article 19 If there are passengers on board the inbound transportation vehicle, the operator of the transportation vehicle or the operator of Customs-supervised site should submit to the Customs the Customs clearance application for the inbound passengers and their luggage within 3 hours of disembarking, and provide the actual number of disembarked passengers, claimed check-in luggage and luggage that has not yet arrived. If the Customs confirms that there is no discrepancy, then the Customs clearance formalities may be proceeded. However, if there is any discrepancy between the original manifest and the Customs clearance application, the operator of the transportation vehicle or the operator of the Customs-supervised site should submit to the Customs for the reasons why there is such discrepancy within 24 hours of disembarking.

Operator of the transportation vehicle or the operator of the Customs-supervised site should turn in the unclaimed check-in luggage to the Customs for further disposition.

### Chapter Three – Exit Manifest Administration

Article 20 Shippers of export containerized goods should transmit the packing list in electronic form to the Customs before stuffing of goods or articles in containers.

Article 21 If there are goods or articles to be loaded on board the outbound transportation vehicle, the manifest transmission party should submit the primary data of the pre-stowage manifest in electronic form to the Customs before shippers go through cargo declaration formalities.

After the Customs has received the transmission of primary data of the pre-stowage manifest, the manifest transmission party should transmit the secondary data of the pre-stowage manifest to the Customs as per below deadline:

- (1) For container vessels, 24 hours before loading. For non-container vessels, 2 hours before loading;
- (2) For aircrafts, 4 hours before loading;
- (3) For trains, 2 hours before loading; and
- (4) For road vehicles, 1 hour before loading.

If there will be passengers on board the outbound transportation vehicle, the manifest transmission party should transmit the pre-stowage manifest in electronic form to the Customs 1 hour before the passengers go through check-in formalities.

Article 22 When outbound goods or articles arrive at the Customs-supervised site, the operator of the site should submit an arrival report in electronic form to the Customs.

After the arrival report has been submitted, the Customs will carry out inspection and release formalities for the goods or articles.

Article 23 Manifest transmission parties should transmit the load manifest in electronic form to the Customs 30 minutes before loading of goods or articles.

Goods and articles in the load manifest should be those having been released by the Customs already.

Article 24 Manifest transmission parties should transmit the passenger manifest in electronic form to the Customs after the passengers have completed the check-in formalities and before the passengers embark on the transportation vehicle.

Article 25 When the Customs has received the transmission of load (boarding) manifest, and if the Customs decides not to allow loading of any goods or articles or boarding of any passengers, the Customs should notify the manifest transmission parties in electronic form about the decision and the reasons behind it.

If the Customs cannot notify the manifest transmission parties in electronic form, the Customs should send staff to the site to process the formalities mentioned in the paragraph above.

Article 26 Operators of transportation vehicles should inform the Customs the departure time of the transportation vehicles 2 hours before departure from the Customs-supervised port.

For those transportation vehicles that are added on ad hoc basis or on short notice, the operators of transportation vehicles should inform the Customs about the departure time of the transportation vehicle before departure from the Customs-supervised port.

Article 27 After loading or boarding has completed, operator of the transportation vehicle should submit clearance application to the Customs. After the Customs has completed the clearance formalities, then the transportation vehicle may depart.

Article 28 Within 6 hours of departure of the transportation vehicle from the port of loading, the operator of the Customs-supervised site or the tally company should submit a tally report in electronic form to the Customs.

Article 29 The Customs should compare the load manifest and the tally report. If there are discrepancies between them, the Customs should notify the operator of the transportation vehicle in electronic form. The operator should report to the Customs the reasons why there are such discrepancies within 48 hours after completion of loading.

The Customs should compare the load (boarding) manifest and the clearance application. If there are discrepancies between them, the Customs should notify the operator of the transportation vehicle in electronic form. The operator should report to the Customs the reasons why there are such discrepancies within 24 hours after completion of clearance formalities.

## Chapter Four – Manifest Changes Administration

Article 30 If changes are needed for the manifests that have already been transmitted in electronic form, the manifest transmission parties may change it directly by transmitting the amendment in electronic form before the stipulated deadlines for transmission of original manifest and pre-stowage manifest, with the exception when the cargo owners have already applied for cargo clearance declaration for the goods or articles with the Customs.

The electronic manifest data transmission time is considered as the time when the Customs receives and accepts the changes of electronic manifest data.

Article 31 In any of the following cases, after the Customs has approved the written application for changes submitted by the manifest transmission parties, the manifest can be amended after the stipulated deadlines for transmission of original manifest and pre-stowage manifest:

- (1) When the electronic manifest data is incorrect due to loss or damage of the goods or articles that are caused by force majeure;
- (2) When part of or all of the export goods or articles included in the load manifest are withdrawn or shipped on a different transportation vehicle due to loading, stowage or other reasons;
- (3) When the quantity of over-loading or short-loading of bulk cargo moving in bulk or moving in a container is within the prescribed limits; or
- (4) When the errors in transmitted data are caused by other objective reasons. Article 32 After applying the treatment as contained in Article 37 of the Measures, if the manifest transmission parties need to change the electronic manifest data, they should make the changes in accordance with the requirements from the Customs.

Article 33 The following documents should be submitted by the manifest transmission parties to the Customs when applying for amendment in cargo manifest:

- (1) Application Form for Manifest Amendment (Appendix 2);
- (2) Copy of issued Bill of Lading or Waybill;
- (3) Paper-form manifest that is correct and affixed with the company stamp of the manifest transmission parties; and
- (4) Other documents that can prove the rationale of the manifest amendment.

The documents mentioned in above items (1), (3) and (4) should be submitted by the manifest transmission parties to the Customs when applying for changes in passenger manifest.

When submitting copies, original documents should also be presented to the Customs for verification.



## Chapter Five – Additional Provisions

Article 34 The definitions of following terminology used in the Measures are:

"Original manifest" – It refers to the manifest transmitted by manifest transmission parties to the Customs that reflects the information on goods, articles or passengers carried on board an inbound transportation vehicle.

"Pre-stowage manifest" – It refers to the manifest that reflects the information on estimated goods, articles or passengers to be loaded or boarded on an outbound transportation vehicle.

"Load (boarding) manifest" – It refers to the manifest that reflects the information on the cargo being planned for loading or passengers planned for boarding on an outbound transportation vehicle.

"Bill of lading (Waybill)" – It refers to the document that proves the carrier has accepted the carriage contract and loaded the goods or articles, and that the carrier shall deliver the goods or articles according to the document.

"Master bill of lading (waybill)" – It refers to the bill of lading (waybill) issued by operator of transportation vehicle or its authorized shipping agent.

"House bill of lading (waybill)" – It refers to the bill of lading (waybill) issued by a non-vessel operating common carrier (NVOCC), freight forwarder or express delivery operator which is under the master bill of lading (waybill).

"Arrival report" – It refers to the record of the actual arrival of inbound and outbound goods or articles at the Customs-supervised sites submitted by the operators of the Customs-supervised sites to the Customs.

"Tally report" – It refers to the record of verification and confirmation made by the operators of Customs-supervised sites or the tally companies on the actual loading and discharge of goods or articles on board inbound and outbound transportation vehicles.

"Port congestion diversion" – It refers to the act in accordance with decision made by the Port Authorities to prevent congestion at the port that diverts relevant goods or articles to other Customs-supervised sites.

"Grouping" – It refers to the process of moving inbound goods or articles from one Customs-supervised site to another site by the operators of Customs-supervised sites.

"Packing list" – It refers to the document that reflects the information on the actual stuffing of export goods and articles in container prior to stuffing.

"Above", "below" and "within" – All of these include the number or the item itself.

Article 35 The Bill of lading (waybill) numbers used in the manifest should not be repeated within 2 years.

Manifest transmission parties, operators of Customs-supervised sites and tally companies should keep the paper-form manifests, arrival reports and tally reports, as well as any other relevant account books for Customs inspection for at least 3 years since the day when the Customs has received the manifest and related electronic data.

Article 36 The format of following manifests and any related electronic data as mentioned in the Measures should be laid down separately by the General Administration of Customs:

- (1) Original manifest (including both primary and secondary data);
- (2) Tally report;
- (3) Application for grouping of goods and articles;
- (4) Tally report for grouped goods and articles;
- (5) Application for diversion due to port congestion;
- (6) Arrival report for goods and articles that are diverted due to port congestion;
- (7) Packing list;
- (8) Pre-stowage manifest (including both primary and secondary data);
- (9) Arrival report; and
- (10) Load (boarding) manifest.

Article 37 Acts in violation of the Measures that constitute smuggling, violation of the Customs regulations or other breaches of the Customs Law should be punished by the Customs in accordance with the Customs Law and Regulation of the People's Republic of China on the Implementation of Customs Administrative Punishment. Those constituting crimes should be dealt with in accordance with the Criminal Law.

Article 38 The right of interpretation of the Measures rests with the General Administration of Customs.

Article 39 The Measures shall be implemented with effect from 1 January 2009. The Administration Methods of the Customs of the People's Republic of China for Transmission of Electronic Manifest Data promulgated by Decree No. 70 of General Administration Customs dated 1 February 1999 will be repealed simultaneously.

Appendices:

1. Application Form for Registration
2. Application Form for Manifest Amendment

Disclaimer:

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Appendix 1 – Application Form for Registration

Customs Serial No.: \_\_\_\_\_

Company Name in Full	(Chinese)	Abbreviation	
	(English)		
Type of Registration	<input type="checkbox"/> Manifest Transmission Party	<input type="checkbox"/> Tally Report Transmission Party	<input type="checkbox"/> Arrival Report Transmission Party
Type of Company	<input type="checkbox"/> Operator or agent of inbound and outbound transportation vehicle	<input type="checkbox"/> Tally Company	<input type="checkbox"/> Cargo arrival after diversion
	<input type="checkbox"/> Enterprises authorized by competent authorities	<input type="checkbox"/> Operator of Customs-supervised Sites	<input type="checkbox"/> Cargo arrival after grouping
	<input type="checkbox"/> Other enterprises authorized to issue bill of lading (waybill)	<input type="checkbox"/> Other	
Type of Transmission	<input type="checkbox"/> Master bill of lading <input type="checkbox"/> Original manifest <input type="checkbox"/> Tally Report for Transportation Vehicle <input type="checkbox"/> House bill of lading <input type="checkbox"/> Pre-stowage manifest <input type="checkbox"/> Tally Report for Consolidation <input type="checkbox"/> Passenger manifest <input type="checkbox"/> Load manifest <input type="checkbox"/> Packing List		
Type of Transportation Mode	<input type="checkbox"/> Vessel <input type="checkbox"/> Aircraft <input type="checkbox"/> Train <input type="checkbox"/> Road Vehicle		
	<input type="checkbox"/> Other		
Contact Person	Name :		Communication Channel :
Other	Organization Code :		Document No. Of Sector Approval :
	Tax Registration Certificate Code :		Uniform Code of Enterprise & Granted By :
Documents Attached For Submission	<input type="checkbox"/> Samples of bill of lading (waybill) and manifest		
	<input type="checkbox"/> Samples of company stamp and relevant business stamps of the enterprise		
	<input type="checkbox"/> Copy of license or certificate of qualifications issued by competent administrative authorities		
	<input type="checkbox"/> Other documents as required by the Customs		
Customs Remarks	Registration Comments		Review Comments
	Result		

Appendix 2 – Application Form for Manifest Amendment

Customs Serial No.: \_\_\_\_\_

Type of Manifest Amendment	<input type="checkbox"/> Original manifest	<input type="checkbox"/> Pre-stowage manifest	<input type="checkbox"/> Load manifest	<input type="checkbox"/> Other
Type of Data Amendment	<input type="checkbox"/> Master bill of lading (waybill)	<input type="checkbox"/> House bill of lading	<input type="checkbox"/> Passenger manifest	<input type="checkbox"/> Other
Transportation Vehicle	Chinese Name	English Name	Voyage Number	Time of Entry/Exit
Required Manifest Amendment	Master bill of lading (waybill) number		House bill of lading number	
Required Amendment Items	Item	Code	Content Before Change	Content After Change
Reason for Amendment	<input type="checkbox"/> The manifest data is incorrect due to loss or damage caused by force majeure.			
	<input type="checkbox"/> Part of or all of the export goods in the load manifest are withdrawn or shipped on a different transportation vehicle due to loading, stowage or other reasons.			
	<input type="checkbox"/> The quantity of over-loading or short-loading of bulk cargo is within the prescribed limits.			
	<input type="checkbox"/> The quantity of over-loading or short-loading of bulk cargo within a container is within the prescribed limits.			
	<input type="checkbox"/> The data errors are caused by computers or network system.			
	<input type="checkbox"/> Application for amendment after being punished by the Customs.			
	<input type="checkbox"/> Other (please explain briefly or attach a form for explanation):			
Attached Documents	<input type="checkbox"/> Issued bill of lading or waybill (duplicate copy).			
	<input type="checkbox"/> Paper-form manifest that is correct and affixed with the company stamp of the manifest transmission party.			
	<input type="checkbox"/> Notification of Administrative Punishment (original and duplicate copies)			
	<input type="checkbox"/> Other documents that can prove the rationale of the manifest amendment:			

	(1) _____ (2) _____ (3) _____ (4) _____		
Remarks	Company Stamp: Our company guarantees that the above amendments are true, correct and valid; otherwise our company shall be responsible for all the consequences, liabilities and costs arising from the amendments.	Customs Remarks: Initial Review: Second Review: Result:	