

## Announcement No. 97 of General Administration of Customs

Issued Date: 2008-12-31

With reference to "Measures for Manifest Administration for Inbound and Outbound Means of Transportation of the People's Republic of China" (Decree No. 172 of General Administration of Customs, hereinafter "Measures"), we are making further announcement for matters related to cargo manifest submission for inbound and outbound vessels as per below:

### 1. Master (House) Bill of lading

Master bill of lading and house bill of lading have been mentioned in the second paragraph under Article 2 in the Measures. Master bill of lading refers to the bill of lading (waybill) issued by operator of transportation vehicle or its authorized shipping agent; while house bill of lading refers to the bill of lading (waybill) issued by non-vessel operating common carrier (NVOCC), which is under the master bill of lading (waybill).

### 2. Registration

- 2.1. Enterprise Without Legal Entity in Mainland China For those vessel operators, who do not have legal entity in Mainland China, they should authorize those vessel agents who have registered with China Customs to submit on their behalf.
- 2.2. Branch Office For those manifest submission parties who have branch offices in Mainland China, their branch offices should register its office address, contact person and contact number with the Customs Office directly under the General Administration of Customs or the authorized subordinate Customs Office that is responsible for its place of business operation.
- 2.3. Shipper in Mainland China When shippers transmit their packing list the first time to China customs, the registration with China Customs will automatically be completed.
- 2.4. Manifest submission parties and manifest related electronic data submission parties are required to provide following documents to China Customs for registration in addition to those mentioned in the Measures:
  - 2.4.1. When vessel operators, non-vessel operating common carriers (NVOCC) and vessel agents are registered as manifest submission party, they are required to provide a copy of "Certificate of People Republic of China Organization Code" and "Business Registration License" (both original and photocopy).
  - 2.4.2. When operators of Customs-supervised sites and tally companies are registered as manifest related electronic data submission parties, they are required to provide a copy of "Certificate of People Republic of China Organization Code" and "Business Registration License" (both original and photocopy).

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.

3. International Multi-Modal Cargo, International Transshipment Cargo and Foreign Cargo Remaining On Board (FROB)

3.4. For international multi-modal cargo, manifest submission parties and manifest related electronic data submission parties are required to transmit inbound and outbound manifest and relevant electronic data according to the Measures.

3.5. For cargo that didn't originally plan as transshipment, but later needs to be transshipped via Mainland China ports as inbound shipment, manifest submission parties may submit application to Customs. Upon receipt of approval, manifest submission parties are required to submit original manifest to Customs before vessel arrival discharge port in Mainland China. For cargo that didn't originally plan as transshipment, but later needs to be transshipped via Mainland China ports as outbound shipment, manifest submission parties are required to submit both primary and secondary data elements of pre-stowage manifest to Customs 2 hours before loading.

3.6. For foreign cargo remaining on board, there is no need for manifest submission parties and manifest related electronic data submission parties to submit any manifest and manifest related electronic data to Customs.

4. Vessels Without Cargo On Board

4.1. For vessels without cargo on board, there is no need to submit any manifest and manifest related electronic data to Customs.

5. Cargo Carried By Barge

5.1. For inbound cargo carried by barge from Hong Kong and Macao to Mainland China, manifest submission parties are required to transmit original manifest of cargo and commodity to Customs 2 hours before cargo loading at load port.

5.2. For outbound cargo carried by barge from Mainland China to Hong Kong and Macao, manifest submission parties are required to transmit pre-stowage manifest of cargo and commodity to Customs 4 hours before cargo loading at load port.

5.3. For outbound barges that transit between Mainland China and Hong Kong and Macao that requires inspection by Customs in the Midway Inspection Station, operators of Customs-supervised sites and tally companies are required to transmit electronic tally report to Customs before vessel departure from load port.

6. Vessels Sailing In Short Transit Corridors

For inbound non-containerized vessels with transit time less than 24 hours, manifest submission parties are required to transmit original manifest to Customs before vessel arrival the first destination port in Mainland China.

7. Transmission of Packing List

7.1. For containerized cargo and commodity, shippers in Mainland China should transmit electronic packing list to Customs before cargo stuffing in container according to the stipulated requirements in the Measures.

- 7.2. If one container contains multiple bills of export cargo, i.e. consolidated shipment, then the packing list of the whole container should be transmitted in the same batch.
- 7.3. For export shipment that is going to be processed for Customs clearance formalities declaration with the Customs office located at the Port of Exit, shippers should transmit electronic packing list to the Customs office located at the Port of Exit.
- 7.4. For export shipment that requires Customs Transfer between two Customs offices, shippers should transmit electronic packing list to the Customs office located at the place of receipt.

#### 8. Return Message From Customs

- 8.1. After Customs have received primary and secondary data elements of original manifest and pre-stowage manifest, Customs will return messages of "accept" or "not accept with reason" to the party who submit the manifest at master bill of lading level.
- 8.2. Manifest submission parties are required to check, amend and re-submit manifest that are not being accepted by Customs.
- 8.3. If the return message from Customs says "do not load" or "do not discharge" at master bill of lading level, all the cargo listed under the relevant master bill of lading and all the house bill of lading under the relevant master bill of lading cannot be loaded or discharged.

#### 9. Arrival Report For Massive Bulk Cargo

9.1. For massive bulk cargo that needs to be loaded directly from truck to vessel upon arrival, they can be treated as cargo arrival upon Customs inspection and approval alongside vessel. Operators of Customs-supervised sites are required to submit arrival report to Customs accordingly. After arrival report has been submitted to Customs, bulk cargo loading operation should be completed within 3 days.

#### 10. Consolidated Shipment

- 10.1. If one container contains multiple bills of import cargo, i.e. consolidated shipment, then manifest submission parties are required to transmit the original manifest of all the house bills of lading for the whole container in the same batch to Customs.

#### 11. Positioning of Empty Containers

- 11.1. For inbound empty containers, manifest submission parties are required to submit primary data of original manifest to Customs before vessel arrival discharge port in Mainland China.

- 1.1. For outbound empty containers, manifest submission parties are required to submit primary data of pre-stowage manifest to Customs 2 hours before loading at load port in Mainland China.
2. Containerized & Non-containerized Cargo Loading On the Same Vessel For inbound vessels carrying both containerized and non-containerized cargo on the same vessel, manifest submission parties are required to transmit manifest as per the submission deadlines for containerized and non-containerized cargo respectively as per Article 9.1 in the Measures.
3. Cargo Requires Customs Transfer  
For inbound and outbound cargo that requires Customs Transfer between two Customs offices, manifest submission parties and relevant electronic data submission parties are required to transmit electronic manifest and relevant electronic data to both Customs offices located in Port of Entry and Port of Exit in addition to packing list.

This official announcement will come into effect from 1<sup>st</sup> January 2009. Notice is

hereby given.

**Disclaimer:**

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