

Update for ATA Carnets

Additions to the ATA Carnet scheme

- ◆ Montenegro
- ◆ Ukraine

Procedure for Substitute Carnet

In the event of a Carnet being lost or stolen it may be necessary for a substitute Carnet to be issued. The substitute Carnet must bear the same Carnet number as the original with the same issue and validity dates. The only addition would be an (s) in brackets after the Carnet number. Substitute Carnets require a repeat fee and back-dated security.

The substitute Carnet **must** be presented to HMRC for validation at the original port of exportation.

Procedure for Replacement Carnet

Background. The ATA Carnet Convention 1961 provides for the issue of a replacement ATA Carnet, where the temporary importation period will exceed the validity period of the original ATA Carnet. A Carnet is valid for up to one year. The Carnet may be used to cover several trips within the validity period of the Carnet. If the temporary import operation will not be completed by the end of this set period, a replacement Carnet should be applied for, **before** the expiry date of the original Carnet, as follows.

The current practice should be for the Holder to obtain written confirmation of the conditions under which foreign customs will accept a replacement Carnet and discharge the liability of the original. Not all countries accept replacement Carnets, e.g. America, and those that do may well have provisos, e.g. South Africa does not accept them for Samples or Trade Fair goods.

Both original and replacement Carnets must be presented to relevant foreign Customs where the goods and original Carnet are located for processing.

For further information please contact:

**The Chamber of Commerce International Trade Centre
on (023) 8022 3541**

E-mail: export@soton-chamber.co.uk

Australia

Customs territory extends to include Tasmania.

Australian Customs require all ATA Carnet holders entering Australia to undergo the Evidence of Identity (EOI) check process. Please e-mail Jackie at the Chamber of Commerce on export@soton-chamber.co.uk for the pdf version of this document.

Where a person or company is temporarily importing goods under cover of a Carnet, then the person who presents the Carnet will be required to undergo this process. To use couriers, Carnet holders need to arrange for prior approval from Australian customs.

Where an extension to the period of temporary importation is required for up to one month, the application must be made direct to Australian customs. All other extension requests will require a replacement Carnet to be issued in compliance with form B257 (OCT 06). Further information is contained on the website : http://londonchamber.co.uk/lcc_public/default.asp?id=918

Turkey

Only named representatives/agents listed in **Box B. "Represented by"** on the importation and re-exportation transaction vouchers will be allowed to sign the importation and re-exportation declarations in **Boxes F**.

USA

Customs territory extends to include Puerto Rico, Alaska and Hawaii.

We are unable to guarantee the acceptance of an ATA Carnet covering vehicles at present.

Information on Carnet processing at Airports can be accessed from the following website:- www.merchandisepassport.org Once there go to FAQ with a link to major airports. Please note that the 24-hour staff office at JFK is located in another building, and may be far from the terminals themselves.

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Importer Security Filing (ISF) for United States of America

From 26 January 2009, Carnet goods entering United States by sea must be additionally covered by an ISF (sometimes referred to as a 10+2 filing).

The ISF must be submitted to US Customs and Border Protection (CBP) 24 hours prior to the cargo being loaded onto a U.S. bound vessel.

All goods entering the United States by sea must be covered by new data elements (10 data elements for the importer and 2 for the carrier).

The ten data elements required are: Manufacturer (or supplier) name and address; Seller name and address; Buyer name and address; Ship name and address; Container stuffing location; Consolidator (stuffer) name and address; Importer record number; Consignee number(s); Country of origin; Commodity HTSUS (Harmonised Tariff schedule of the United States) number.

The ISF must be transmitted to CBP by an approved electronic means, e.g. Automated Broker Interface (ABI). CBP will not accept filings by fax, e-mail, or paper. To ensure compliance, CBP would also require that all ISFs be accompanied by a third-party bond. CBP will impose penalties (i.e., liquidated damages) of \$5,000 per transaction when it is determined that the ISF is not timely, complete or accurate.

From 26 January 2009, the goods will also need an ISF and a suitable bond. We are assuming that the customs house brokers/freight forwarders clearing the shipments will gather the necessary information working directly with the Holder (or representative) to fulfil ISF requirements.

From 26 January 2009 to 26 January 2010, CBP will be evaluating any compliance difficulties from the new provisions and should not be issuing penalties when they determine there has been non-compliance. This "informed compliance" approach notwithstanding, CBP reserves the right to take enforcement action when an importer is not achieving "satisfactory progress" or making a "good faith effort to comply" during this period.

Questions

- ◆ If you have any questions relating to the above, please contact Kerry or Jackie on tel. no. 023 8022 3541

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