



## DIRECÇÃO GERAL DAS ALFÂNDEGAS



"Seja um cidadão, seja um novo héroi para a nossa Nação"

### PUBLIC NOTICE- CUSTOMS ADVICE

ORIGINATING OFFICE: Director General of Customs

DGC Notice No 01

DATE: 15 September 2015

**Subject: - 'Pre-Clearance' process available to importers of Private Motor Vehicles (Advanced Ruling).**

#### **Purpose:**

To advise of a voluntary process for private importers obtain 'pre-approval' to import a motor vehicle into Timor-Leste prior to exportation from the country of origin.

Customs has prepared this voluntary process to allow private importers to ship their vehicle with confidence that it meets the requirements of the strict 'less than five years old' rule.

#### **Introduction**

ALL Standard passenger and utility Motor Vehicles imported into Timor-Leste are subject to a strict requirement to be less than five years old on arrival.

Vehicles older than five years (from the date of build) cannot be imported. If shipped to Timor-Leste they are subject to re-export at the cost of importer. In some cases they may be subject to forfeiture if it is determined that a false declaration regarding the age or value of the vehicle was made.

***Importers of vehicles for commercial purposes, including for sale, lease, rental or exchange must obtain written approval from the Department of Foreign Trade (MTCI) and the Directorate of Land Transport (LTA), before shipping the vehicle.***

**Private operators** may import a vehicle without prior approval however the vehicle will not be released by Customs until it is proven to be less than five years old.

When a vehicle is not imported directly from the manufacturer as a new car, it can often be difficult to prove the date of manufacture. This is due to the various worldwide regulatory systems relating to cars. Waiting for a decision about the vehicles age can lead to lengthy delay at the port. This may cause significant cost to the importer and cause port congestion.

### **Authority**

The Kyoto Convention (an international convention relating to Customs) provides for an International best practice where approvals for the import of goods can be sought from Customs, and provided where possible as an *Advanced Ruling*, prior to arrival of the goods.

Articles 10 and 11 of Decree Law 11/2004 provide authority for intending importers to submit a written request for an *Advance Ruling* from Customs.

This new process does not change the current requirement under Article 4.1 of Decree-Law 30/2011 (*Importation of Commercial Vehicles*) that requires commercial importers to submit requests for import approval to the Department of Foreign Trade (MTCI) and the Directorate of Land Transport (LTA) prior to arrival of the vehicle in Timor-Leste

### **The Process.**

The intending private importer may submit an application (Form A1 attached) to the National Directorate of Compliance prior to the shipment of the vehicle to Timor-Leste.

The application will include:

1. Make and Model of the vehicle (e.g. Toyota – Prado Station Wagon – XLT)
2. Cost of the vehicle
3. Color of the car.
4. Vehicle Identification Number (VIN)
5. Month and Year of original manufacture
6. Intended use of the vehicle
7. Contact details of the Car dealership selling the car or manufacturing representative.

Attached to the application the importer must provide the following documents as supporting evidence where possible (noting that the lack of documents to support the information will delay the process).

- a) Overseas Registration Document of the vehicle
- b) Original Warranty booklet from Manufacturer
- c) A letter from the manufacturers respresntaive decoding the VIN
- d) A photograph of the car.

- e) Any other documents that may assist, such as first registration papers, sales contracts from the manufacturers dealership, warranty reports, manufacturers information about age, or insurance documents.

Customs undertakes to respond to the application within five working days.

**Successful Application:** If the information provided by the intending importer indicates the motor vehicle is less than 5 years of age from the date it was originally manufactured until the date it is to be imported, the National Director Compliance will issue a written advance ruling indicating that the motor vehicle fulfills age requirements established in Decree-Law 30/2011, and can therefore it can be imported to Timor-Leste.

The advanced ruling will be subject to the following conditions:

This advanced ruling remains remains valid if the details the vehicle subsequently imported into Timor-Leste accurately match the information supplied in the application when the advance ruling decision was granted. If any information provided was subsequently found to be false the motor vehicle/s will be seized and sold at public auction by Customs. The vehicle must arrive before ... *(this will be less than five years after manufacture)*.

Upon arrival in Timor-Leste the importer will be required to lodge the standard Self Assessment Document (Customs Declaration) and pay relevant duties and taxes. The vehicle will then be inspected by Custom to verify the vehicle is the same vehicle as mentioned in the application (note: this inspection occurs after the payment of duties and taxes).

**Unsuccessful Application:** After assessing the information provided in the application by the intending importer and any other resources available to Customs, it is determined that the motor vehicle is more than five years of age, or is a vehicle not otherwise approved for use on public roads within Timor-Leste, the National Director Compliance will advise that the motor vehicle is prohibited from importation into Timor-Leste.

If the vehicle is then imported it will be seized by Customs.



**OPERATIONAL APPLICATION**

This policy will take effect on the 13 September 2015.



**Juliao José XIMENES**

Director-Geral em exercício das Alfândegas