



Lao People's Democratic Republic

Peace Independence Democracy Unity Prosperity

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Ministry of Finance
Customs Department

No. 10503/CD

Vientiane capital, Date 5 July 2012

**Instructions for Detailed Customs Declaration
by the ASYCUDA system**

- Pursuant to the Law on Customs No. 04/NA, dated 20 Dec 2011.
- Pursuant to the authorization of the Minister of Finance No. 1282/MOF, dated 14 May 2012 on the permission to the Customs Department to continue developing ASYCUDA system in phase III.
- Pursuant to the authorization of the Customs Department No. 4205/Customs, dated 24 Feb 2012 on approving installations of ASYCUDA system in 10 border customs checkpoints nation-wide.

The implementation of the automated system for customs data is to facilitate import and export trade and border transportation at border customs checkpoints, ensuring compliance with the Law on Customs, international regulations and standards. The implementation of such system is aimed at improving and developing customs services to facilitate trade and customs duty to be modernized, transparent, and fast.

To ensure the implementation is unified throughout the country

The Customs department grants the instruction as follow:

I. Customs declaration process for importation goods:

1. Customs declaration for importation goods through border customs checkpoint shall proceed as follow:

- (1) The process of declaring transport documents;

- (2) The process of filling out information on the detailed customs declaration document;
- (3) The process by a customs officer receiving a customs declaration document and inspecting goods;
- (4) The process of paying customs duties and other obligations;
- (5) The process of releasing of goods from the border customs checkpoints.

1.1. The process of declaring transport document

Once imported goods arrive at a border custom checkpoint, declarants shall be responsible directly for submitting the transportation documents of the goods to customs officers for inspecting and registering the number of transportation documents of the goods. Subsequently, customs officers will allow declarants to hold the goods in a bonded warehouse determined by the customs authority prior to submitting the detailed customs declaration. Information in the transportation documents shall be submitted to the sub-unit in charge of customs inspection and warehouse management of the border customs checkpoint to keep in accordance with laws and regulations.

- Transportation documents for declaring to the customs officers include:
 - (1) Transportation document;
 - (2) Invoice;
 - (3) Packing list (If there is any);
 - (4) Origin of goods (If appreciable);
 - (5) Copy of detailed customs declaration from exporting country (If appreciable);

Or declared according to the form provided by customs authority. Transport documents shall be submitted to Customs within 24 hours of the goods arriving at the border.

1.2. The process of filling out information on the detailed customs declaration document;

Declarants can fill out information on the importation of goods into the system ahead of the goods arriving at the border post or at the same time as the goods arriving at the border, and shall proceed as follow:

a) Detailed customs declaration before the goods arriving at the border:

- Customs declarant shall fill out a detailed customs declaration with the documents specified in 1.1 above (Except for transportation document) into the system, and print out the document, sign, and stamp or have electronic signature acknowledged by customs authority and attach related documents; then submit to customs officers for inspecting and certifying. After the goods arrive at the border post, declarants shall proceed with the next steps in the system, pay the customs duties and other obligations; and remove goods from the border customs checkpoint.
- Customs declarants can fill out detailed customs declarations into the system in advance within 7 days of the goods arriving at the border. If there is no hard-copy of the detailed customs declaration document submitted to the customs officers within 7 days, such information in the system will be removed automatically.

b) Detailed customs declaration when goods arrive at the border:

- Customs declarant shall fill out detailed customs declaration with the documents specified in 1.1 above (Except for transportation documents) into the system, and print out the detailed customs declaration, sign, and stamp or have electronic signature acknowledged by the customs authority and attach related document; then submit to customs officers for inspecting and certifying the process in accordance with customs laws and regulations.

(1) Documents the declarant shall have for detailed customs declaration include:

- (1) Transportation documents;
- (2) Invoice;
- (3) Packing list (If there is any);
- (4) Origin of Goods (If appreciable);
- (5) Import license from related government agencies; and
- (6) Other relevant document.

1.3. Customs officers receive and inspect the detailed customs document:

1.3.1. Receiving detailed customs document:

After receiving the document, customs officers shall recall information from the system based on the registration number of the detailed customs declaration document in order to inspect and compare information in the hard-copy of the document. If it is correct, then the system will assess risk management of the detailed customs declaration document as following lane:

- **Lane 1 (Green)** : applies if the information provided in the detailed customs declaration document presents the lowest risk;
- **Lane 2 (Blue)** : applies if the information provided in the detailed customs declaration document presents low risk;
- **Lane 3 (Yellow)** : applies if the information provided in the detailed customs declaration document presents medium risk;
- **Lane 4 (Red)** : applies if the information provided in the detailed customs declaration document presents high risk;

1.3.2. Customs officers conduct risk management at border custom checkpoints:

▪ Lane 1 (Green lane)

The detailed customs declaration document has lowest risk; the customs officers who received the document shall carry out the following treatments:

- Carefully inspect the detailed customs declaration document and fully determine the condition of the risk.
- After carefully inspecting, the officers shall certify the inspection result and sign the detailed customs declaration document (at Box for Customs Inspector's signature), approve the assessment and print out the assessment document from the system. Then, submit the document to the National Treasury or banks to pay customs duties and other obligations, and release the goods from the customs checkpoint.
- After carefully inspecting and assessing the remaining risks, the officers shall inspect in further detail. The detailed customs declaration document shall be switched to lane 3 (Yellow lane) or if it is necessary to conduct a physical inspection, the document shall be switched to lane 4 (Red lane), and the document shall be submitted to customs officers in order to carry out the treatment relevant to on each lane.

- Customs officers at sub-units in charge of customs declarations receive the document from the National Treasury or banks and put the information in the system, print out receipt and exit note and submit to heads of checkpoint for inspection and signature on the detailed customs declaration document (Box for the heads of Customs Checkpoint’s signature), then shall give 3 sets of the detailed customs declaration document with exit note to the declarant. After inspecting goods at the bonded warehouse, customs officers shall sign the exit note and the goods shall leave the custom checkpoints.
- In the case of switching from lane 2 (Blue lane) to lane 1 (Green lane), the following procedure shall be followed. If necessary, customs officers shall obtain 1 set of the detailed customs declaration document with exit note in order to proceed with physical inspection at the bonded warehouse destination, and shall make a detail note on the result of the inspection.

- **Lane 2 (Blue lane)**

The detailed customs declaration document has low risk; the customs officers who received the document shall carry out the following treatments:

- Carefully and fully check the detailed customs declaration document and guarantee agreement document. After finishing checking, customs officers switch the lane into lane 1 (Green lane), and submit the document to carry out the next procedure accordingly.
- After inspecting and finding that it has a high risk, the goods shall be physically inspected and switched into lane 4 (Red lane), also document shall be submitted to the sub-unit in charge of customs inspection and warehouse management in order to carry out the next procedure accordingly.

- **Lane 3 (Yellow lane)**

The detailed customs declaration document has medium risk; the customs officers who receive the document shall carry out the following treatments:

- Carefully and fully check the detailed customs declaration document and guarantee document.

- After finishing checking, customs officer switches lane to lane 1 (Green lane), and submits the document to carry out the next procedure accordingly.
- After inspecting and finding that it has a high risk, the goods shall be physically inspected and the lane shall be switched to lane 4 (Red lane), also the document shall be submitted to the sub-unit in charge of customs inspection and warehouse management in order to carry out the next procedure.
- If there is any violation of customs law and regulations, all documents shall be submitted to the sub-unit in charge of accounting & statistics and query desk & dispute settlement
- in order to carry out the procedure accordingly.

▪ **Lane 4 (Red lane)**

The detailed customs declaration document has high risk; the customs officer who receives the document shall carry out the following treatments:

- If the inspection result is clear, the sub-unit in charge of customs inspection and warehouse management approves the result of the inspection in the system, switches lane 4 (Red lane) into lane 1 (Green lane) and issues exit note. After that, submit the document for customs clearance at the border customs checkpoints in order to carry out the customs clearance process.
- If a customs violation was found, the customs officer shall issue a notice memorandum and send it to the sub-unit in charge of accounting & statistics and query desk & dispute settlement in order to carry out the procedure accordingly.

1.3.3. Issuance of additional detailed customs declaration document:

The additional detailed customs declaration document can be issued in 2 cases: (1) customs cases, and (2) in the case of change of foreign exchange rate, detailed as follows:

(1) Customs cases:

- In the case of finding incorrect detailed customs declaration related to the actual goods, customs officers shall issue a memorandum of the case for

conducting assessment of fines according to the customs law. The sub-unit in charge of accounting & statistics and query desk & dispute settlement shall notify the goods owners or declarants about the file, the calculation of customs duties and other obligations and fines.

- If the offender accepts it, the declarant shall bring the calculation of customs duties and other obligation and the fines for payment to the sub-unit in charge of accounting & statistics and query desk & dispute settlement for issuing a fine receipt and additional detailed customs declaration document, using the same registration number of the old detailed customs declaration document.
- The new detailed customs declaration document consists of information of the offence such as: customs declaration value, item code, origin of goods, numbers of items, initial goods declared, etc.
- In case of import of goods, that are duty discounted or exempted or duty free, the procedure will be in accordance with customs law.
- After the customs case has been resolved, customs officers shall issue a memorandum of offence committed in the inspection record of the system, and shall print it out. Then, the head of the sub-unit in charge of customs inspection and warehouse management shall approve the assessment in the system by switching from lane 4 (Red lane) into lane 1 (Green lane) and will carry out the procedure accordingly.

(2) Case of change of foreign exchange rate:

In the case of foreign exchange rate changes, before payment of customs duties and other obligations, customs officers shall inform the declarants about amending editing the additional detailed customs declaration document to ensure the use of the current foreign exchange rate on the date of payment of customs duties and other obligations in compliance with regulations.

Samples of the registration number of the detailed customs declaration document:

- The original detailed customs declaration document (Import for consumption goods “IM4”) No.: #i12345
- The additional detailed customs declaration document (Import for consumption goods “IM4”) No.: #12345/1

1.4. Payment of customs duties and other obligations:

After going through the customs procedure and the assessment is approved in the system, the customs declarants shall pay the customs duties and other obligations at the National Treasury or banks.

1.5. Release of goods from the border customs checkpoints:

Customs declarants shall submit a complete set of document to the customs officers at the customs checkpoint to inspect before allowing release of the goods from the customs checkpoint, and keep 2 sets of the copy of the detailed customs declaration document.

II. Customs declaration process for exportation of goods:

1. Customs declaration for exportation of goods through border customs checkpoint shall be proceed as follows:

- Filling out detailed customs declaration document;
- Customs officer receiving customs declaration document and inspection;
- Payment of customs duties and other obligations;
- Release of goods from the border customs checkpoints.

1.1. Filling out the detailed customs declaration document:

Customs declarants can fill out information of goods in the system in advance or at the time goods arrive at the border customs checkpoints. If the information on the goods is correctly filled in the system, the system will accept it and issue the registration number and the number of the detailed customs declaration document. Customs declarants shall print out the document from the system, sign, and stamp or have electronic signature, acceptable by the customs authorities, and attach related document. Then, hand in the document to the customs officers at the customs checkpoint to inspect and approve.

1.2. Receiving the detailed customs declaration document and inspection by customs officers:

- Receiving the detailed customs declaration document, payment of customs duties and other obligations and inspection – release of goods from the customs checkpoint follow the same process as the declaration process for importation of goods.
- In the case that exportation goods present a risk at lane 2 or lane 4, customs declarants can propose to the customs authorities at the customs checkpoint to consider authorizing customs officers to conduct a physical inspection at the warehouse of the company or at the special economic zone or specific economic zone, that are under the management of the customs authorities. After finishing the physical inspection, customs officers shall immediately affix a seal on the truck carrying the goods, in order to transport the goods to the export border post.
- The goods for which a detailed customs declaration document has been submitted and those have undergone the customs declaration process, shall be released from the customs border post immediately. If the goods cannot be released, customs declarants can be fined in accordance with the law on customs. To ensure that customs officers carry out the process, the declarants have to inform the customs officers about actual date and time of export.

III. Responsibility of detailed customs declarant:

- Filling out information on a detailed customs declaration in the system, responsibility for the information and document used for customs declaration;
- The detailed customs declaration document shall be clean, without marks or erasing spots, so that it can be signed and stamped before handing in to the customs officers at the border customs checkpoints;
- Paying customs duties and other obligations in lieu of the goods owners;
- Response to request for information and related document by the customs officers; and
- Acting on behalf of the goods owners, transporter or service providers to customs authorities in case of violations to the law on customs and other related regulations.

IV. Responsibility of customs authorities:

1. **Customs officers receiving the document, at the sub-unit in charge of customs declarations:**

- Receiving detailed customs declaration document and attached documents from the custom declarants;
- Checking information in the customs declaration document and attached documents to ensure the necessary documents are submitted completely and correctly by comparing information in the system;
- In the case of an incomplete document, customs officers shall send it to the sub-unit in charge of accounting & statistics and query desk & dispute settlement.
- Conducting risk management

2. Customs officers administrating risk management , at the sub-unit in charge of customs declaration

• **Specific to customs officers responsible for risk level at Lane 1:**

- Inspect for risk in the system to ensure complete and correct information and documents attached for details customs declaration;
- Submit the document to the sub-unit for an approval of the assessment;
- Heads of checkpoint signature to approve the document;
- Payment of customs duties and other obligations;
- Print out the exit note from the ASYCUDA system;
- Print out the receipt for the customs declaration service charges from the system and sign;
- Give 3 sets of the detailed customs declaration document, with exit note to the declarant.

• **Specific duties of customs officers responsible for risk level at Lane 2:**

- Inspect for risk in the system to ensure complete and correct information and documents are attached for details customs declaration;
- Conduct risk management process, send the document to the responsible customs officers to approve customs declaration through the process of the system;

• **Specific duties of customs officers responsible for risk level at Lane 3:**

- Inspect for risk in the system to ensure complete and correct information and documents are attached for details customs declaration;
- Conduct risk management process, send the documents to the responsible customs officers to approve customs declaration through the process of the system;

- **Specific duties of customs officers responsible for risk level at Lane 4:**

- Inspect for risk in the system to ensure complete and correct information and documents are attached for details customs declaration;
- Customs officers conduct physical inspection;
- Certify inspection result and approve inspection record, print out release order, and approval by the sub-unit;
- Payment of customs duties and other obligations;
- Inspection checkpoint sign to approve the detailed customs declaration document; and
- Release of goods from the border post.

3. Customs officers at the sub-unit in charge of accounting & statistics and query desk & dispute settlement:

- Recheck for incomplete information on customs declaration and provide advice to the customs declarants;
- Correct information that has negligible impact on the change of customs duties and other obligations;
- Prepare a file;
- Approve and print out the assessment;
- Send customs declaration documents to the sub-unit;
- Open-close daily accounting book;
- Sign the consolidation and reconciliation of daily revenue collection & statistics;
- Maintenance of guarantee account, expedite payment of customs duties and other obligations;
- Summary of revenue from customs files resolved;
- Print certification of customs declaration for vehicles (B.9); and
- Collect customs declaration information, item code arrangement, origin of goods, etc.

4. Customs officers at the Sub-unit in charge of border customs checkpoints:

- **sub-unit in charge of customs declaration:**

- Monitoring and inspecting customs officers receiving the document, risk management of lane one, two and three;
- Check for correctness of the detailed customs declarations document;

- Approve the switch of risk management ;
 - Certify the result and sign the detailed customs declaration document;
 - Manage service fee for customs declaration via the system; and
 - Create memorandum of customs files.
- **Sub-unit in charge of customs inspection and warehouse management:**
 - Monitoring and inspecting customs officers receive the document, risk management of lane four;
 - Check for correctness of the detailed customs declarations document;
 - Authorize customs officers for physical inspection of goods or scanner inspection;
 - The sub-unit approves the switching of risk management ;
 - Control the importation and exportation goods; and
 - Create memorandum of customs files.
- **Sub-unit in charge of accounting & statistics and query desk & dispute settlement:**
 - Sign Summary of revenue collection and statistics;
 - Signing of consolidation and reconciliation of daily revenue collection & statistics;
 - Management of guarantee account, expedite payment of customs duties and other obligations and guarantees;
 - Provide explanation and advice to customs declarants about customs regulations;
 - Certify correctness and revision of information in the system;
 - Conduct customs admission after approval by the customs committee at the border post.
 - Conduct procedure if there is no admission;
 - Maintain confiscated goods under customs authority and according to customs regulations;
 - Information collection management on customs declaration values, item code, origin of goods, etc.

5. Other sub-units facilitating trade, import and export at border posts:

The Department of Customs shall issue an additional with specific instructions about sub-units responsible for import-export trade facilitation along the border post. In general, there will be: Sub-unit in charge of customs, Sub-unit in charge of Passengers and vehicles, local border

customs checkpoints and traditional checkpoints, that are under custom checkpoint at border posts.

6. Heads of checkpoints

- Monitor, maintain, inspect performance of custom clearance at border customs checkpoint;
- Inspect full pack of detailed customs declaration documents, sign to certify the documents;
- Sign to certify payment of customs duties for vehicles (B.9);
- Authorize customs officers to monitor goods at destination point;
- Customs files resolution
- Study and resolve proposals from custom declarants; and
- Monitor the utilization of modern tools in conducting goods inspection.

V. Implementation:

1. Divisions in the Customs department, customs regional office, Border customs checkpoints nation-wide should ensure customs officers on duty understand the process, and provide enterprises with information to ensure the effectiveness in implementing these instructions.
2. In the actual implementation, customs regional offices and border customs checkpoints should concentrate on the following:
 - Documentation services shall be as “Single Window”, meaning submitting or coordinating at the window determined by customs authorities, where document inspection services can be done at one point or one office. Documentation shall be sequenced, by having tracking document attached to the documents; and avoiding disorganized documentation services.
 - Distribution or movement of documents within the border custom checkpoint shall be carried out by customs officers; it is prohibited for declarants to carry it out by themselves.
 - Provide clear explanation about customs declaration to the enterprises; border customs checkpoints shall carry out such service in certain appropriate areas for providing information and advice to the enterprises.

3. This instruction shall replace the instruction No.: 2078/Customs, dated 07 July 2011 and shall come into effect from the date of signing.

Director General
Customs Department
Ministry of Finance

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