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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

PERINTAH DUTI KASTAM (BARANG-BARANG DI BAWAH PERJANJIAN PERDAGANGAN BEBAS MALAYSIA-CHILE) 2012

CUSTOMS DUTIES (GOODS UNDER THE FREE TRADE AGREEMENT MALAYSIA-CHILE) ORDER 2012



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AKTA KASTAM 1967

PERINTAH DUTI KASTAM (BARANG-BARANG DI BAWAH PERJANJIAN PERDAGANGAN
BEBAS MALAYSIA-CHILE) 2012

PADA menjalankan kuasa yang diberikan oleh subseksyen 11(1) Akta Kastam 1967 [Akta 235], Menteri membuat perintah berikut:

Nama dan permulaan kuat kuasa

1. (1) Perintah ini bolehlah dinamakan **Perintah Duti Kastam (Barang-Barang di bawah Perjanjian Perdagangan Bebas Malaysia-Chile) 2012**.

(2) Perintah ini mula berkuat kuasa pada 25 Februari 2012.

Tafsiran

2. Dalam Perintah ini, “MCFTA” ertinya Perjanjian Perdagangan Bebas Malaysia-Chile.

Duti Import

3. (1) Tertakluk kepada peruntukan Jadual Pertama, duti import hendaklah dilevi ke atas dan dibayar oleh pengimport berkenaan dengan barang yang dinyatakan dalam Jadual Kedua yang berasal dari negara Chile, mengikut kadar duti import yang dinyatakan dalam ruang (4) Jadual Kedua, yang diimport ke Malaysia.

(2) Jika suatu kadar duti import dinyatakan dalam ruang (4) Jadual Kedua berkenaan dengan sesuatu jenis barang yang tertentu, maka kadar itu hendaklah dilevi ke atas dan hendaklah dibayar oleh pengimport sebagai ganti duti import penuh yang sepadan yang dikenakan di bawah Perintah Duti Kastam 2007 [P.U. (A) 441/2007] hanya berkenaan dengan barang dari jenis yang dibuktikan hingga memuaskan hati Ketua Pengarah sebagai telah berasal dari negara Chile.

(3) Dalam hal barang yang boleh dikenakan duti import di bawah Perintah Duti Kastam 2007 yang diimport pada atau dengan mana-mana orang yang memasuki Malaysia atau dalam bagasi orang itu dan yang dimaksudkan untuk kegunaan bukan

komersial (kecuali kenderaan bermotor, minuman beralkohol, spirit, tembakau dan rokok), hanya duti kastam pada kadar sama rata 30% *ad valorem* hendaklah dilevi ke atas dan dibayar oleh pengimport atas barang itu.

(4) Berhubung dengan barang yang tidak dinyatakan dalam Jadual Kedua, duti import hendaklah dilevi ke atas barang itu mengikut kadar penuh yang dinyatakan dalam Perintah Duti Kastam 2007.

Tafsiran kadar yang dinyatakan dalam Jadual Kedua

4. Melainkan jika dinyatakan selainnya, kadar yang dilevi di bawah subperenggan 3(1) hendaklah mengikut kiraan peratusan nilai barang.

Penjenisan barang

5. Penjenisan barang dalam Jadual Kedua hendaklah mematuhi Rukun tafsiran Jadual dalam Perintah Duti Kastam 2007.

CUSTOMS ACT 1967

CUSTOMS DUTIES (GOODS UNDER THE FREE TRADE AGREEMENT MALAYSIA-CHILE)
ORDER 2012

IN exercise of the powers conferred by subsection 11(1) of the Customs Act 1967 [Act 235], the Minister makes the following order:

Citation and commencement

1. (1) This order may be cited as the **Customs Duties (Goods under the Free Trade Agreement Malaysia - Chile) Order 2012**.

(2) This Order comes into operation on 25 February 2012.

Interpretation

2. In this order “MCFTA” means Free Trade Agreement Malaysia – Chile.

Import Duty

3. (1) Subject to the provisions of the First Schedule, import duty shall be levied on and paid by the importer in respect of goods specified in the Second Schedule originating from Chile, at the rate of import duty specified in column (4) of the Second Schedule, imported into Malaysia.

(2) Where an import rate of duty is specified in column (4) of the Second Schedule in respect of a particular class of goods, such rate shall be levied on and shall be paid by the importer in lieu of the corresponding full import duty imposed under the Customs Duties Order 2007 [P.U. (A) 441/2007] only in respect of goods of the class which are shown to the satisfaction of the Director General to have originated from Chile.

(3) In the case of those goods liable to import duty under the Customs Duties Order 2007 imported on or with any person entering Malaysia or in the baggage of such person and is intended for non-commercial use (except motor vehicles, alcoholic beverages, spirits, tobacco and cigarettes), only a customs duty at a flat rate of 30% *ad valorem* shall be levied on and paid by the importer on such goods.

(4) In relation to goods not specified in the Second Schedule, import duties shall be levied on the goods at the full rates specified in the Customs Duties Order 2007.

Interpretation of rates shown in the Second Schedule

4. Unless otherwise specified, the rates levied under subparagraph 3(1) shall be expressed as the percentage of the value of goods.

Classification of goods

5. The classification of goods in the Second Schedule shall be governed by the Rules for the interpretation of the Schedules in the Customs Duties Order 2007.

JADUAL PERTAMA/*FIRST SCHEDULE* [Subperenggan 3(1)/*Subparagraph 3(1)*]

Bahagian I/*Part I*

Rules of Origin under the Free Trade Agreement Malaysia-Chile

Rule 1: Definitions

For the purposes of this Order:

- (a) “CIF” means the value of the goods imported, and includes the cost of freight and insurance up to the port or place of entry into the country of importation;
- (b) “Competent Authority” means bodies or private entities authorised by the Governmental Authority for the issuance of the Certificate of Origin;
- (c) “FOB” means the free-on-board valuation of the goods, inclusive of the cost of transport to the port or site of final shipment abroad;