

# **Customs (Duties) (Amendment) Order 2010**

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**No. S 349**

## **CUSTOMS ACT (CHAPTER 70)**

### **CUSTOMS (DUTIES) (AMENDMENT) ORDER 2010**

In exercise of the powers conferred by section 10(1) of the Customs Act, the Minister for Finance hereby makes the following Order:

#### **Citation and commencement**

**1.** This Order may be cited as the Customs (Duties) (Amendment) Order 2010 and shall be deemed to have come into operation on 17th May 2010.

#### **Amendment of paragraph 4**

**2.** Paragraph 4 of the Customs (Duties) Order (O 4) (referred to in this Order as the principal Order) is amended —

- (a) by deleting sub-paragraphs (b) and (c) of sub-paragraph (1);
- (b) by deleting sub-paragraph (d) of sub-paragraph (1) and substituting the

following sub-paragraph:

“(d) any country of the Association of South East Asian Nations (ASEAN), other than Brunei Darussalam, which lists that particular class of goods in her Tariff Liberalisation Schedule for the ASEAN Trade In Goods Agreement (ATIGA);”;

- (c) by deleting sub-paragraph (4) and substituting the following sub-paragraph:

“(4) Goods shall be deemed to have originated from and be consigned direct from any ASEAN country referred to in sub-paragraph (1)(d), where they conform with the Rules of Origin set out in the ATIGA.”;

- (d) by deleting sub-paragraph (a) of sub-paragraph (4H) and substituting the following sub-paragraph:

“(a) if they belong to any particular class of goods listed in Brunei Darussalam’s Tariff Liberalisation Schedule for the ATIGA, where they conform with the Rules of Origin set out in the ATIGA; or”;

- (e) by deleting sub-paragraph (b) of sub-paragraph (5) and substituting the following sub-paragraph:

“(b) where the goods are from any ASEAN country referred to in sub-paragraph (1)(d), a Certificate of Origin in the form set out in the Third Schedule issued by the Government authorities designated by the exporting country;”; and

- (f) by inserting, immediately after the words “under sub-paragraph (5)(b)” in sub-paragraph (6), the words “or (i)(i)”.

### **Amendment of Third Schedule**

**3.** The Third Schedule to the principal Order is deleted and the following Schedule substituted therefor:

#### **“THIRD SCHEDULE**

Paragraph 4(5)(b) and (i)(i)

**Original (Duplicate/Triplicate)**

1. Goods consigned from (Exporter's business name, address, country)  2. Goods consigned to (Consignee's name, address, country)			Reference No.  ASEAN TRADE IN GOODS AGREEMENT/ASEAN INDUSTRIAL COOPERATION SCHEME CERTIFICATE OF ORIGIN (Combined Declaration and Certificate)  FORM D Issued in _____ (Country) See Overleaf Notes		
3. Means of transport and route (as far as known)  Departure date  Vessel's name/Aircraft etc.  Port of Discharge			4. For Official Use  <input type="checkbox"/> Preferential Treatment Given Under ASEAN Trade in Goods Agreement _____  <input type="checkbox"/> Preferential Treatment Given Under ASEAN Industrial Cooperation Scheme _____  <input type="checkbox"/> Preferential Treatment Not Given (Please state reason/s) _____ Signature of Authorised Signatory of the Importing Country		
5. Item number	6. Marks and numbers on packages	7. Number and type of packages, description of goods (including quantity where appropriate and HS number of the importing country)	8. Origin criterion (see Overleaf Notes)	9. Gross weight or other quantity and value (FOB)	10. Number and date of invoices
11. Declaration by the exporter The undersigned hereby declares that the above details and statement are correct; that all the goods were produced in _____ (Country) and that they comply with the origin requirements specified for these goods in the ASEAN Trade in Goods Agreement for the goods exported to _____ (Importing Country) _____ Place and date, signature of authorised signatory				12. Certification It is hereby certified, on the basis of control carried out, that the declaration by the exporter is correct.  _____ Place and date, signature and stamp of certifying authority	
13. <input type="checkbox"/> Third Country Invoicing <input type="checkbox"/> Exhibition <input type="checkbox"/> Accumulation <input type="checkbox"/> De Minimis <input type="checkbox"/> Back-to-Back CO <input type="checkbox"/> Issued Retroactively <input type="checkbox"/> Partial Cumulation					