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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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No. 1886/55 - FRIDAY, OCTOBER 31, 2014

(Published by Authority)

PART I : SECTION (I) — GENERAL
Government Notifications

L.D.B 7/2013.

THE CUSTOMS ORDINANCE (CHAPTER 235)

REGULATIONS made by the President under Section 103 of the Customs Ordinance (Chapter 235) read with Article 44(2) of the Constitution.

MAHINDA RAJAPAKSA,
President.

Colombo,
31st October 2014.

Regulations

1. These regulations may be cited as the Electronic Sea Cargo Reporting Regulations No. 1 of 2014 and shall come into operation from the date of the publication.

2. Every person who holds a valid license issued to carry on the business as a Shipping Agent, Freight Forwarder or Non Vessel Operating Common Carrier (herein after referred to as a “Cargo Reporter”) under the provisions of the licensing of Shipping Agents, Freight Forwarders, Non Vessel Operating Common Carriers, and Container Operators Act, No. 10 of 1972, shall submit an application form for registration as set out in form “A” in the Schedule hereto, to the Sri Lanka Customs and obtain a registration number and user credentials in order to submit cargo reports electronically.

3. The registration made under regulation 2 of these regulations unless it is earlier suspended, cancelled or revoked by the Director General of Customs shall remain in force for a period of two years from the date of registration.

4. Any Cargo Reporter who holds registration with Sri Lanka Customs on the day on which these regulations come into operation shall renew their registration after two years from the date of operation of these regulations and shall submit an application form for renewal as set out in form “B” in the Schedule hereto to Sri Lanka Customs.



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5. The registration of a Cargo Reporter shall be suspended, cancelled or revoked or any application for registration or renewal of registration shall be refused after being satisfied by the Director General of Customs on the grounds -

- (a) that the applicant has involved in any illegal activity ; or
- (b) that the applicant has failed to comply the provisions of the Customs Ordinance or regulations made under the Customs Ordinance.

6. Where an application for the issue or renewal of a registration has been refused, the reasons for such refusal shall be informed to the person making such application within fourteen days to the address appearing in the application.

7. (1) Any applicant aggrieved by a decision of the Director-General of Customs may appeal against such decision to the Secretary of the Ministry of the Minister assigned the subject of finance within thirty days from the date on which such decision was communicated to the applicant.

(2) The decision on any appeal submitted under Subsection (1) shall be made within thirty days of the receipt of such appeal and the person making such appeal shall be informed of the decision made on it, forthwith.

(3) The decision of the Secretary to the Ministry of the Minister assigned the subject of Finance, on any appeal made under this regulation, and shall be final.

8. Every Cargo Reporter of a ship which is due to arrive to a port inside the territorial waters of Sri Lanka from a port outside the territorial waters of Sri Lanka, shall report to Sri Lanka Customs electronically -

- (a) the particulars of all goods that the Cargo Reporter has arranged to be on the ship on the voyage ;
- (b) that are intended to be unloaded from the ship at a port in Sri Lanka (the first port or any subsequent port on the same voyage) ; and
- (c) that are intended to be kept on board the ship for shipment to a place outside Sri Lanka.

9. Every Cargo Reporter of a ship which is due to depart from any port within the territorial waters of Sri Lanka to a port outside the territorial waters of Sri Lanka shall report to Sri Lanka Customs electronically, particulars of export Cargo that has arranged to be carried on the ship on the voyage.

10. Every cargo reporter shall submit an inward cargo report to Sri Lanka custom electronically ;

- (a) not later than seventy two (72) hour period before the arrival in the first port of call in Sri Lanka ; or
- (b) if the duration of the voyage to a port in Sri Lanka is less than seventy two (72) hours, on the departure from the last port outside Sri Lanka.

11. Every cargo reporter shall submit an outward cargo report to Sri Lanka customs electronically before seeking outward clearance for the voyage.

12. Any Cargo reporter who contravenes the provisions of these regulations shall be guilty of an offence and shall on conviction after summary trial by a Magistrate be liable to a fine, not exceeding twenty-five thousand rupees or in imprisonment of either description for a term not exceeding three months or to both such fine and imprisonment.

13. (1) All Cargo reporters shall give a general moratorium period of one month from the date of commencement of these regulations.

(2) The Director General of Customs shall grant a further moratorium period of not more than one month beginning at the end of the general moratorium period to each cargo reporter if a Cargo reporter applies to the Director General of Customs for the grant of a further moratorium period to have effect at the end of the general moratorium period and the Director General of Customs is satisfied that the Cargo reporter has, within the general moratorium period, made reasonable progress in –

- (a) installing the facilities required for the making of electronic Cargo reports ; or
- (b) in putting in place business practices or entering into business arrangement to enable the making of electronic cargo reports.

SCHEDULE

FORM "A"

APPLICATION FORM FOR THE REGISTRATION

(Regulation 2)

FORM FOR THE REGISTRATION OF SHIPPING LINES, FREIGHT FORWARDERS/NON VESSEL OPERATING COMMON CARRIERS IN TERM OF THE REGULATIONS FRAMED UNDER SECTION 103 OF THE CUSTOMS ORDINANCE

01. Name of Business/Applicant :.....

- Type of Business :
- Sole Proprietorship
 - Partnership
 - Private Ltd. Liability
 - Other (please specify).....

02. Tax identification Number (TIN) :

VATNo :

03. Directorate General of Merchant Shipping Registration Number :

Date of Expiry of Registration :
(DD/ MM/ YY)

04. Address :

Head Office :
.....
.....
.....

Telephone No. :
Fax :

Other Offices :
.....
.....
.....

Telephone No. :
Fax :

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PART I : SEC. (I) - GAZETTE EXTRAORDINARY OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA - 31.10.2014

E-mail :..... Website :.....	E-mail :..... Website :.....		
05. Principal Activities ; <input type="checkbox"/> Vessel Agent <input type="checkbox"/> Freight Forwarder/Non Vessel Operating Common Carriers			
06. Do you issue Delivery Orders to the consignees to be submitted to Customs Department ? <input type="checkbox"/> Yes <input type="checkbox"/> No.			
07. Name and Address of : Parent Company : (if any)			
FINANCIAL INFORMATION			
08. Details of Bankers (Attach Bank statement of last six months)			
	1	2	3
Name			
Branch			
Account No.			
Date Account Opened			
Type of Account			
09. Name & Address of Auditor :			
10. Last year Business Turnover (Attach Balance Sheet, Profit & Lost Account etc.) Assets of Company Current assets Value :..... Fixed Assets Value :.....			
11. If Tax Payer, Tax File Number :			

Amount paid in the last three quarters											

12. DECLARATION

I/We hereby declare that the particulars and the statement made in this application are true and correct to the best of my/our knowledge and belief and nothing has been concealed or held there from. Also I/We understand that any information furnished in the application if proved incorrect or false will render me/us the cancellation of registration with the department of Sri Lanka Customs.

Singature of the Applicant (s) :.....

Name :..... Date :.....

Designation :.....

13. BANK CERTIFICATION

Bank Ref. No. :.....

We certify that Mr./Mrs./Ms.

(Name and Address of the applicants)

Are maintaining a savings bank Account/Current Account No.with us since

.....
 (Signature of certifier)

Date :..... Name :.....

Designation :.....

(Official Stamp)

FOR OFFICIAL USE ONLY

Date Received :

Ref. No. :

Vetted

Owners

Officers Checked :

Addresses

Grama Niladhari Certificate

ID/Passport/TIN

Tax Payments

Bank Accounts and Certification

Business Registration Certificate

Registration Accepted / Not accepted :

Date :

Signature :

Designation :

Name :

Code Allocated :

FORM "B"

APPLICATION FORM FOR THE RENEWAL REGISTRATION

(Regulation 4)

FORM FOR THE RENEWAL OF THE REGISTRATION OF SHIPPING LINES, FREIGHT FORWARDERS/NON VESSEL OPERATING COMMON CARRIERS IN TERMS OF THE REGULATIONS FRAMED UNDER SECTION 103 OF THE CUSTOMS ORDINANCE

Please note that you have to seek a fresh registration if there is a change in

** Type of Business

**Financial information

** Directors

01. Name of Business/Applicant :

02. Current Registration Number issued by Directorate General of Merchant Shipping.

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03. Current Registration Number issued by Sri Lanka Customs.

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04. Address

Head Office

.....

Telephone No. :

Fax :

E-mail :

Website :

Other Offices

.....

Telephone No. :

Fax :

E-mail :

Website :

I/We hereby declare that the particulars made in this application are true and correct to the best of my/our knowledge.

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PART I : SEC. (I) - GAZETTE EXTRAORDINARY OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA - 31.10.2014

Signature of the Applicant (s) :.....

Name :.....

Date :.....

Designation :.....

FOR OFFICIAL USE ONLY

Date Received :.....

Renewal Accepted / Not accepted :.....

Date :.....

Signature :.....

Designation :.....

Name :.....

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