



# STANDARD INTERPRETATION GUIDELINE 2018-26

## CUSTOMS CONCESSION- CODE 275

### COMPANIES AND ENTITIES INVOLVED IN MANUFACTURING NOODLES

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This Standard Interpretation Guideline ('SIG') sets out Fiji Revenue and Customs Service's ("FRCS") policy and operational practice in relation to the Customs Concessions granted for Companies and Entities involved in Manufacturing Noodles under concession code 275.

It is issued with the authority of the Chief Executive Officer ("CEO") of FRCS.

All legislative references in this SIG are to the *Customs Tariff Act ("CTA") 1986* (unless otherwise stated).

This SIG is in effect from 16<sup>th</sup> July, 2018 and may need to be reviewed in the event of any relevant legislative amendments.

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## EXECUTIVE SUMMARY

1. The manufacturing sector is essential in supporting Fiji's economy as it is not only a source of employment but also government revenue. Apart from Concession Code 236 for manufacturers this concession is specifically for companies and entities manufacturing noodles and importing noodle flavours.
2. While the legislative provisions are set out in the CTA, the players in the industry need to be very clear in terms of the administration and the application of the law.
3. This SIG therefore, sets out the CEO's official position on the application of Customs Concession, Code 275.
4. The SIG relates to the list of goods, persons and bodies that can qualify for duty concession under Code 275 to Part III of the Customs Tariff.

## INTRODUCTION

5. The purpose of this SIG is to provide clarity and certainty to the application of the provisions under Code 275. The pre-requisites to qualify test rules and the entitlements under the code are discussed.
6. This SIG will also serve as a checklist to the applicants to self-assess their eligibility.
7. Furthermore, it will ensure that there is a uniformed approach to the processing of applications under this provision.

## LEGISLATIVE PROVISION

Code	Owner	Goods Eligible	Fiscal	Import Excise	Vat	Condition	Authority
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
275	Companies and entities involved in manufacturing of noodles.	(i) Noodle taste maker imported in sachet	3%	Free	9%	(a) The sachet is to be part of the locally manufactured noodle packet; (b) With regard to the description in column 3 (ii), that there should be a value addition process and the noodle taste maker imported in bulk needs to be re-packed in sachets by the company;	The person approved by the CEO
		(ii) Noodle taste maker imported in bulk	Free	Free	9%	(c) The goods are not for sale and are to be used exclusively for purposes for which the concession is granted; (d) That the disposal or use of the goods for the purposes other than that for which the concession is granted shall be subject to the condition laid down in Section 17 of the CTA.	

## **GOVERNING CONDITIONS**

8. The concession is to be claimed on the imported goods and goods cleared from ex-bond warehouses by the person or body specified in column (2).
9. The goods are of a kind relating to a name or description specified in column (3).
10. All conditions specified in column (7) and any other conditions that may be specified by the CEO are to be fulfilled.
11. When any conditions affecting the goods is not fulfilled after the goods leave Customs Control, the CEO may disallow the concession and collect the duty applicable under Part 1. Further action may also be taken such as penalties and/or compounding.

## **QUALIFYING CRITERIA AND CONDITIONS**

- 12 This concession is specifically for companies and entities involved in manufacturing noodles. The applicant must be registered and certified to manufacture noodles in Fiji.
- 13 The taste maker may be imported only in sachets or in bulk for re-packing locally and is packaged together with the final product i.e. noodles.
- 14 The noodle taste maker is the flavoring that is used when consuming the noodles. The noodle taste maker is to be presented in the form of powder. It is not to be used in the manufacture of the locally produced noodles.
- 15 Noodle taste maker imported in bulk shall undergo re-packing by the noodle manufacturer.
- 16 The noodle taste maker is to be packed and sold with the locally produced noodles. The flavor sachets are not to be sold separately.
- 17 For assessment purposes, the Single Administrative Document (SAD) has to be lodged along with other mandatory documentations such as the Invoice, Bill of Lading/Air Way Bill, C45 Form (Declaration of Sale Document), Packing List (where required) and other documents relevant to the consignment (concession declaration, import licence, concession approval letters etc.) for clearance of the goods.
- 18 If the goods cleared under this provision are used for purposes other than for which the duty concession was granted, the company shall be investigated and penalized accordingly.
- 19 If there is any element of doubt or suspicion, the Investigation, Compliance, Intelligence Division (ICI) or the Enforcement & Monitoring Unit can be consulted.
- 20 Furthermore, import data is to be obtained from the ASYCUDA system for and verification purposes.
- 21 For any other clarifications you may contact the Tariff and Trade team on [FICS-SuvaTariff&Trade@frcs.org.fj](mailto:FICS-SuvaTariff&Trade@frcs.org.fj).