



## **STANDARD INTERPRETATION GUIDELINE 2020-38**

### **CUSTOMS CONCESSION- CODE 231B - APPROVED IMPORTER OR EXPORTER (INNOVATIVE PACKAGING FOR LOCALLY MANUFACTURED/PRODUCED GOODS)**

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 to an approved Importer or Exporter for innovative packaging for locally manufactured/produced goods under Concession Code 231B of Part 3 of Customs Tariff Act 1986.

It is issued with the authority of the Comptroller of Customs, who is also 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 18 July 2020 and may need to be reviewed in the event of any relevant legislative amendments.

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## Purpose

1. The purpose of this SIG is to provide clarity and certainty on the application of the Concession Code 231B of Part 3 of the Customs Tariff Act 1986.

## INTRODUCTION

2. Concession Code 231B relates to concessions that can be availed to an Approved importer or exporter for innovative packaging for locally produced and manufactured goods.
3. This SIG will discuss in detail the governing conditions which must be satisfied in order to qualify for this code.
4. This SIG may also serve as a checklist to the applicant to self-assess their eligibility.
5. Furthermore, this SIG is binding on all FRCS Customs Officers to ensure that there is a uniformed approach to the processing of applications under this concession code.

## LEGISLATIVE ANALYSIS

6. Concession Code 231B provides the legislative basis for making concession available to an Approved Importer or Exporter of locally manufactured/produced goods.
7. The concession is applicable on the importation of approved innovative packaging solely for the package of locally manufactured/produced goods.
8. Below is an extract of the concession code table relating to Code 231B.

Code No.	Persons or Bodies	Goods Eligible for Duty Concession	Import Duty			Conditions	Certificate to be signed by
			Fiscal	Excise	VAT		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
231B	An approved importer or exporter of locally manufactured / produced goods	Approved innovative packaging for the package of locally manufactured/ produced goods	Free	Free	9%	<p>(a) That the goods are solely for the packaging of locally produced/ manufactured goods;</p> <p>(b) That the goods are not for retail sale;</p> <p>(c) That the innovative packaging Materials are not manufactured and available locally in terms of specifications and quality;</p> <p>(d) That The disposal of The goods imported under this concession shall be subject to section 17 of the Customs Tariff Act 1986.</p>	The person approved by the Comptroller

9. In addition to the above, the Comptroller provides that the application of the concessionary rates of import duty under Concession Code 231B is governed by the following:
- a. that the concession is claimed *at the time of importation or at the time of clearance from bonded warehouses* by the Approved importer or Exporter of locally manufactured/produced;
  - b. that, where applicable, the goods are of a kind answering to a name or description specified in Column (3), an approved importer or exporter of locally manufactured/produced goods;
  - c. that any condition in Column (7) specifying the use of the goods, shall be taken, inter alia, to limit such goods to the type, kind or quantity suitable for such uses;
  - d. that all conditions specified in Column (7) and any additional conditions that may be specified by the Comptroller of Customs are fulfilled, provided that:
    - i. when any condition affecting the goods is not fulfilled after the goods leave Customs control, the Comptroller may disallow the concession and collect the rate of duty applicable under Part 1; and
    - ii. such collection shall not affect the powers under any other law for the time being in force.

#### **QUALIFYING CRITERIA AND CONDITIONS**

10. Concession code 231B is available to approved importer or exporter of the locally produced goods on the importation of packaging material only if the local manufacturers of the packaging materials are **unable to manufacture and supply** the applicants the required specifications within the required timelines.
11. An approved importer or exporter is a person/company who is approved by the CEO under the Customs Act.
12. The applicant is required to submit a written application to the Comptroller of Customs requesting for the duty concession. Details and specifications of the innovative packaging needs to be provided with the application. Applicants will be formally advised of the decision from the Comptroller of Customs.
13. The concession is applicable solely on the packaging of the locally produced/manufactured goods. These packaging under this code is not for retail sales.
14. For any other clarifications you may contact the FRCS TIPU team on [tipu.techs@frcs.org.fj](mailto:tipu.techs@frcs.org.fj).