NOTIFICATION UNDER ARTICLE 10.6.2 OF THE AGREEMENT ON TRADE FACILITATION

COMMUNICATION FROM BANGLADESH

The following communication dated 11 October 2019, is being circulated at the request of the delegation of Bangladesh for Members’ information.

Bangladesh hereby makes the following notification based on Article 10.6.2 of the Agreement on Trade Facilitation.

According to the Customs Act, 1969 and the licensing rules (Notification no.174 of 2016) made under this act the use of customs brokers is not mandatory. According to the provisions of section-79 (for import) and section-131 (for export) submission of declaration for customs clearance is the responsibility of the importer or owner of the goods and exporter respectively.

Section 79(1)

The owner of any imported goods shall make entry of such goods for home-consumption or warehousing or for any other approved purpose by delivering to the appropriate officer a bill of entry thereof in such form and manner and containing such particulars as the Board may direct.

Section 131

No goods shall be loaded for exportation until-

(a) in the case of goods other than passengers’ baggage and mail bag-

(i) the owner has delivered to the appropriate officer or, if the owner is a registered user, he has transmitted to the Customs computer system, a bill of export in such form and manner and containing such particulars as the Board may, by order, direct from time to time.

According to section 207 of the same act a broker can act on behalf of the importer or exporter only if he is licensed under the rules issued in this regards.

Section 207 states that:

No person shall act as an agent for the transaction of any business relating to the entrance or departure of any conveyance or the import or export of goods or baggage at any customs-station unless such person holds a licence granted in this behalf in accordance with the rules.

The Act can be accessed online in the Bangladesh Customs website:

The Customs Agents Licensing Rules, 2016 (Notification no.174 of 2016) describe detail procedure of the function of the customs agents or brokers. The rule-6 of this licensing rules illustrates the provision for self-clearance of goods by the importer or exporter himself. The rule is in Bangla and may be accessed online at the Bangladesh customs website.