Advance Ruling
-Japan’s experience-

WTO Trade Facilitation Committee 2019

12-13 February, 2019
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Japan Customs
Customs and Tariff Bureau
Ministry of Finance
Legal Basis

Trade Facilitation Agreement, Article 3
- “Shall issue an advance ruling” : Origin, Classification
- “Encouraged to provide” : Valuation, Duty reduction and exemption
- Imported Goods

Customs Law, Article 7(3)
- “Shall endeavor to”
- Origin, Classification, Valuation, Duty reduction and exemption
- Imported goods

DG’s Decree of Customs Law
- Procedures for written request
- Procedures for oral request
- Procedures for request through internet (started on April 1, 2013)
Benefits

- Valid for 3 years
- Respected by Customs

Invalidation

- More than 3 years since the issuance
- Differences of descriptions from actually declared goods
- Revisions of the related laws or regulations
Procedure of Issuance (Overview)

Applicant

Customs Office

Written Request

Advance Ruling

Within 30 or 90 days

Consultation

National Center

Consultation

Customs & Tariff Bureau

*Origin, Classification, Duty reduction and exemption: 30 days
Valuation: 90 days
Request from for Advance Ruling (C-1000)

<table>
<thead>
<tr>
<th>Date of Inquiry Year/Month/Day</th>
<th>Name, Address, and signature of an Inquirer</th>
<th>Registered Code of Importer</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO Director-General of TOKYO CUSTOMS</td>
<td>Name, Address, and signature of a Proxy (Person in charge) (Telephone number)</td>
<td></td>
</tr>
</tbody>
</table>

I hereby make a request for ruling on the origin with respect to the following commodity concerning to apply of tariff rate of □WTO □EPA □GSP □Others.

<table>
<thead>
<tr>
<th>General or commercial name of the commodity</th>
<th>Manufacturers of site Manufacturer</th>
<th>Customs office where import declaration will be filed</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Status of merchandise</th>
<th>□Arrived □NOT yet arrived</th>
<th>Reference Materials (Return/ NOT return)</th>
<th>Samples, Drawings, Catalogues , documents, Explanatory Notes, or Others (       )</th>
</tr>
</thead>
</table>

Possible date of Contract:
Possible date of importation:
Time of planning for import
Quantity, Value, special request,
Investment, whether there is a plan for long term contract

Whether there are former example of advance ruling of same or similar goods in question

Explanation of the merchandise (manufacturing process in relevant countries, or other specific matters concerning to manufacturing, etc.)

I have an opinion on the origin of goods as below. (□YES □NO)

<table>
<thead>
<tr>
<th>Disclosure</th>
<th>OK/ NO</th>
<th>The reason for No disclosure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Period to be disclosed</td>
<td>(   ) days (within 180 days)</td>
<td>Additional material Request/ Submit</td>
</tr>
</tbody>
</table>

Please refer to overleaf Notes.
The number of Advance Ruling

- **Origin**: Over 500 cases per year
- **Classification**: Over 5,000 cases per year
- **Valuation**: Around 5 cases per year
For improving the transparency of Customs determination, issued **advance rulings are publicly available** on the Customs website after the reply in principle.

In case that the inquirer or related stakeholders may suffer from a loss because of its publication, **the inquirer can request** the Customs Officer **not to publish the contents of advance rulings for up to 180 days**.
Public Awareness

1402 Advance Ruling on Customs Valuation

• Summary
  Advance rulings on Customs valuation are advices on how certain laws and regulations will be interpreted or applied to the imported goods in question for the purpose of Customs valuation. In principle, rulings are issued in writing in reply to documentary inquiries submitted by importers or other interested persons.

• Validity of issued rulings
  Issued rulings in writing will be respected by Customs at the time of import and value declarations during an effective period of three years maximum from the date of issuance, except when the treatment changes due to the revision of laws and regulations and other specific reasons. Please note that answers to inquiries made verbally will not be respected by Customs at the time of import and value declarations.

• Procedures
  For inquiries, a request form is required to be submitted by completing “Request of Advance Ruling for Customs valuation” (Customs Form C1000-6) including facts of transaction with supporting documents such as a copy of sales contract for the goods in question.

  The requested regional Customs will examine the submitted form and related documents and issue a ruling in the form of “Answer of Advance Ruling for Customs valuation” (Customs Form C1000-9).

  Customs endeavors to issue rulings as early as possible within 90 days of receiving a request.

  For a request for the review of the issued ruling, “Request for review of Advance Ruling for Customs valuation” (Customs Form C1001-1) is required to be submitted to the regional Customs which has issued the ruling within two months of the following day of issuance or delivery of the ruling.

• Publication of issued rulings
  In principle, all the issued rulings will be made available to the public on the Customs website as they may serve as references for interested persons to submit accurate import declarations. Any information contained in the ruling that would identify a specific party is not disclosed. The person who received a ruling may request for an embargo period not exceeding 180 days.

Contact list for Inquiries about Advance Rulings on Customs Valuation

《Customs Website, Customs Answer (Q&A)》
Thank you for your kind attention.