Circular No. 31 /2005-Cus.
25th July, 2005

F.No.450/41/2005-CUS-IV
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs

Subject:-Containers/cargo-Movement of containers and containerised cargo - Instructions- regarding.

Presently, the Containers which are of durable nature and intended to be imported temporarily are exempt from the levy of Customs duties in terms of Notification No. 104/94-Customs, dated 16th March, 1994 subject to the condition of re-export within a period of six months from the date of importation and subject to other conditions specified in the notification. As per the existing practice, the clearance of containers whether empty or loaded, intended for temporary admission, is to be allowed without requirement of filing a formal Bill of Entry for each container separately. The party concerned should intimate the Customs the number and identification particulars of the containers to be moved outside the customs area. The Bond for such movement could be either for a specific individual consignment of containers or a general Bond covering a larger number of containers, as requested by the party.

2. It has come to the knowledge of the Board that different types of bond with divergent practices are being followed by the field formations. The Board has considered the issue and it has been decided to adhere to a simple uniform procedure for clearance of temporary importation of containers as detailed below:-

(i) The nature of bond should be "continuity bond".

(ii) No Bank Guarantee / Security is required is furnished alongwith the bond.

(iii) Bond should be executed by shipping line, Non Vessel Owning Common Carrier (NVOCC), Steamer agents or their authorised representatives.

(iv) The bond amount should cover only the duty element of the imported containers and not the cargo it is carrying.

(v) The validity period of the bond should be for a year which would be extendable till further such period as requested by the person executing the bond.

3. While Directorate of Systems and Data Management is developing a module for automatic matching of imported and export containers within permissible time, the process of monitoring of period of temporary importation should be done manually in respective Customs houses till such time. The extension of time period of six months should be done in accordance with the Circular No. 83/98-Cus., dated 5-11-1998.

4. The above instructions may be brought to the notice of the Trade immediately through appropriate Public Notice.

5. Receipt of this Circular may kindly be acknowledged.

6. Hindi version will follow.

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