[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (I)]

GOVERNMENT OF INDIA

MINISTRY OF FINANCE

(DEPARTMENT OF REVENUE)

Notification

No.75 / 2010-Customs (N.T.)

New Delhi, dated the 12th August, 2010

G.S.R. (E). - In exercise of the powers conferred by section 157 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby makes the following regulations further to amend the Courier Imports and Exports (Clearance) Regulations, 1998, namely :-

1. (1) These regulations may be called the Courier Imports and Exports(Clearance) Amendment Regulations, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Courier Imports and Exports (Clearance) Regulations, 1998, (herein after referred to as the said regulations) in regulation 5 in sub-regulation (3), -

(i) after the words "the Authorized Courier", the words "or his agent who has passed the examination referred to in regulation 8 or regulation 19 of the Customs House Agents Licensing Regulations, 2004" shall be inserted;

(ii) in the first proviso, for the words " or with the concurrence of the Authorised Courier", the words "or his agent who has passed the examination referred to in regulation 8 or regulation 19 of the Customs House Agents Licensing Regulations, 2004 or " shall be substituted;

(iii) in the second proviso, after clause (v) the following shall be inserted, namely:-

"(vi) goods having a declared value of more than one lakh rupees."

3. In regulation 6 of said regulations, in sub-regulation (3), after the words "Authorized Courier", the words "or his agent who has passed the examination referred to in regulation 8 or regulation 19 of the Customs House Agents Licensing Regulations, 2004" shall be inserted;

4. Regulation 8 of the said regulations shall be numbered as sub-regulation (1) thereof and in sub-regulation (1) so numbered,-

(i) for words "five lakh" the words "twenty-five lakh"the following shall be substituted;

(ii) after sub-regulation (1) so numbered, the following sub-regulation shall be insered, namely:-

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"(2) The declarations for clearance of imported or export goods shall be made by the persons who has passed the examination referred to in regulation 8 or regulation 19 of the Custom House Agents Licensing Regulations, 2004:

Provided that a transition period of six months from the date of publication of these regulations shall be allowed for fulfillment of the condition mentioned in sub-regulation (2) by an Authorised Courier."

5. In regulation 11 of the said regulations, for the words "two lakh" the words "ten lakh", and for the words "one lakh" the words "five lakh" shall be substituted.

6. In regulation 13 of said regulations, -

(i) in clause (a), the following proviso shall be inserted, namely:-

"provided that for import consignments having a declared value of ten thousand rupees or less, the authorization may be obtained at the time of delivery of the consignments to consignee"

(ii) after clause (g), the following clauses shall be inserted, namely :-

"(h) file declarations, for clearance of imported or export goods, through a person who has passed the examination referred to in regulation 8 or regulation 19 of the Customs House Agents Licensing Regulations, 2004 and who are duly authorised under section 146 of the Act:

Provided that a transition period of six months from the date of publication of these regulations shall be allowed to the Authorised Courier for fulfillment of the obligation.

(i) verify the antecedent, correctness of Importer Exporter Code (IEC) Number, identity of his client and the functioning of his client in the declared address by using reliable, independent, authentic documents, data or information;

(j) not sub-contract or outsource functions permitted or required to be carried out by him in terms of these regulations to any other person, without the written permission of the Commissioner of Customs."

[F. No. 450/77/2010-Cus.IV]

(Navraj Goyal)

Under Secretary to the Government of India

[Note: The principal Notification No.87/98-Customs (N.T.), dated the 9th November, 1998 was published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 9th November, 1998 vide G.S.R. 662(E), dated the 9th November, 1998 and last amended vide Notification No.09/2007-Customs (N.T.), dated the 7th February, 2007, published in the Gazette of India Extraordinary, Part II, Section 3, sub-section (i), dated the 7th February, 2007 vide G.S.R. 68(E), dated the 7th February, 2007.]