

DISALLOWABLE INSTRUMENT



PURSUANT to section 421(1) of the Customs and Excise Act 2018

I, Carolyn Tremain, Chief Executive of the New Zealand Customs Service, make the following rules:

Customs (Amendment of Provisional Value) Rules 2018

Signed at Wellington

This 12th day of August 2018

Carolyn Tremain

Comptroller of Customs

Customs (Amendment of Provisional Value) Rules 2018

CR 2018/PVL1

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Part 1

Rules

Section 1 Title, application, and commencement

1.1 Title

These rules are the *Customs (Amendment of Provisional Value) Rules 2018*.

1.2 Application and purpose

These Rules apply to the amendment of assessments containing provisional values required under section 112 of the Act and are made for the purpose of prescribing the way in which amendments must be made.

1.3 Commencement

These Rules come into force on 1 October 2018.

1.4 Interpretation

1.4(1) In these Rules, unless the context otherwise requires—

Act means the Customs and Excise Act 2018

client code means the alphanumeric code assigned to importers to identify entries transmitted to a Customs registered user system by or on behalf of the importer

final Customs value in relation to goods means the final Customs value of the goods determined in accordance with Schedule 4 of the Act

provisional Customs value in relation to goods is a Customs value made in accordance with section 102(1) of the Act

Regulations means the Customs and Excise Regulations 1996

1.4(2) Unless the context otherwise requires, a term that is used in these Rules and defined in the Act but not defined in these rules has the meaning given in the Act.

Section 2 Manner and form for providing final Customs value

2.1 Importer must amend assessment containing one or more provisional Customs values in the way prescribed

An importer who includes a provisional value in one or more entries of imported goods must provide an amended assessment of the goods to include the final Customs value in writing in accordance with 2.2.

2.2 Form of amended assessment

2.2(1) The amended assessment must be provided in the form of a written reconciliation.

2.2(2) The reconciliation must include the following information:

- (a) The importer's client code;
- (b) The period of time covered by the reconciliation;
- (c) The aggregate of provisional Customs values declared in all entries;
- (d) The aggregate final Customs value for all entries;
- (e) The aggregate total amount of new duty liability or new entitlement to refund, as the case may be.

2.3 Manner in which amended assessment to be provided

The reconciliation required under 2.2 must be provided to Customs by;

- (a) Email to provisional.values@customs.govt.nz; or
- (b) Posted to;

New Zealand Customs Service

PO Box 29

Shortland Street

Auckland 1140

ATTN: Trade Assurance

Note: the amended assessment must be made in accordance with the timeframes provided for in clause 31A of the Regulations

Section 3 Supplementary information

3.1 Additional information to assist importers

3.1(1) An importer amending an assessment may include the following supplementary documentation with the reconciliation:

- (a) A manual refund application, if applicable;
- (b) A spreadsheet showing the calculations for each entry;
- (c) Any supporting documentation which demonstrates year-end price adjustments, including (without limitation):
 - (i) Invoices;
 - (ii) Debit notes;

- (iii) Credit notes
- (iv) Annual financial statements
- (d) Any other information the importer considers relevant to the assessment.

3.1(2) On receipt of the reconciliation required under 2.2 the Chief Executive may request a list of all import entries containing provisional values made in the period referred to in paragraph 2.2(2)(b), and for each entry:

- (i) the provisional Customs value declared,
- (ii) the final Customs value,
- (iii) an assessment of new liability or refund amount, broken down by duty type.