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CUSTOMS ACT
(CHAPTER 70, SECTION 143)
CUSTOMS (CONTAINER) REGULATIONS

Arrangement of Provisions

- 1 Citation
- 2 Definitions
- 3 Permit required for containers for transshipment
- 4 Permit required for movement of loaded containers
- 5 Containers to be unstuffed at freight station
- 6 Damaged containers
- 7 Tampered seals to be notified to customs officer
- 8 Permit to contain full description of contents of container
- 9 Permit required for removal of container
- 10 Supervision for stuffing and unstuffing
- 11 Permission for use of terminal or station in customs territory
- 12
- 13 Records of container to be maintained by owner
- 14 Records of container's movements and contents
- 15 Lot numbers of unstuffed goods
- 16 Securing of dutiable goods in containers
- 17 Examination of goods
- 18 Facilities for customs
- 19 Hours for stuffing and unstuffing of containers
- 20 Extension of hours
- 21 Late cancellation of request for overtime
- 22 Penalties
- *23 Composition of offences

CUSTOMS ACT
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CUSTOMS (CONTAINER) REGULATIONS

[11th January 1975]

Citation

1. These Regulations may be cited as the Customs (Container) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

"container" means a box, tank or container of standard dimensions which —

- (a) is specially constructed for the safe carriage of goods;
- (b) is of permanent character and can be used more than once;
- (c) is specially designed to facilitate carriage of goods by one or more modes of transport;
- (d) is fitted with devices which enable it to be locked and sealed;
- (e) has an internal volume of at least one cubic metre; and
- (f) has conspicuous and permanent identification marks;

"container freight station" means a place designated by the Director-General for the storage of —

- (a) goods after they have been unstuffed from containers or to be stuffed into containers; and
- (b) containers which have goods therein;

"container terminal" means a berth or wharf designated by the Director-General as a place from which containers are loaded on or unloaded from vessels, as the case may be;

"full container load" , in relation to a container, means a container with goods for one consignee only or a container with goods from one consignor only, as the case may be;

"less than full container load" , in relation to a container, means a container with goods for more than one consignee or a container with goods from more than one consignor, as the case may be.

Permit required for containers for transshipment

3. —(1) No container which has any goods therein and is imported or intended for transshipment shall be removed from the ship wherein they arrived or from the Woodlands Train Checkpoint if imported by train, or beyond the customs station at Woodlands or Tuas if imported by road, except under a permit issued by the proper officer of customs and in accordance with all the conditions specified in the permit.

(2) Notwithstanding paragraph (1), no permit shall be required for the removal by an authority administering a free trade zone of any container from a vessel direct into such free trade zone, if a full and correct inward manifest required under section 39 of the Act has been furnished to the proper officer of customs.

Permit required for movement of loaded containers

4. No container which has any goods therein may be moved from a container terminal to a consignee's premises or to a container freight station inside customs territory except under a permit issued by the proper officer of customs and in accordance with all the conditions specified in the permit.

Containers to be unstuffed at freight station

5. Every container with less than full container load shall be unstuffed in a container freight station unless a senior officer of customs otherwise requires.

Damaged containers

6. Any container damaged on import shall be brought to the attention of the proper officer of customs and may not be removed from the customs station at Woodlands or Tuas or from the Woodlands Train Checkpoint or from a container terminal, as the case may be, without the prior permission of a senior officer of customs.

Tampered seals to be notified to customs officer

7. —(1) The owner of a container or the agent appointed by him to take charge of or to manage the container shall forthwith notify the proper officer of customs if any seal placed on the container is found by the owner or agent to be tampered with, opened, broken, altered or removed on import.

(2) Such container shall not be removed from the customs station at Woodlands or Tuas or from the Woodlands Train Checkpoint or from a container terminal, as the case may be, without the prior permission of a senior officer of customs.

Permit to contain full description of contents of container

8. —(1) Where a permit to move a container from a container terminal to the consignee's premises is issued under regulation 4, that permit shall contain a full description of the contents of the container.

(2) Where a permit to move a container from a container terminal to a container freight station inside customs territory is issued under regulation 4, that permit shall contain the particulars shown in the ship's manifest and the container markings.

Permit required for removal of container

9. No container which has any goods therein may be removed from a consignor's premises or container freight station to a container terminal except in accordance with a permit, issued by the proper officer of customs, authorising the removal.

Supervision for stuffing and unstuffing

10. The stuffing and unstuffing of every container shall be carried out under the supervision of the proper officer of customs unless a senior officer of customs otherwise requires.

Permission for use of terminal or station in customs territory

11. —(1) No person shall, inside customs territory, make use of or operate a container terminal or container freight station to store, import or export any containerised goods without the written permission of the Director-General and except in accordance with such conditions as the Director-General may impose.

(2) Any person applying for such permission shall furnish the following particulars:

- (a) his name, identity card number and address;
- (b) the name of his firm and, if the applicant is a company, the name of the company;
- (c) the type and quantity of goods to be removed from, stored or moved into the container terminal or container freight station;
- (d) an estimate of the annual duty which shall be paid by him on goods removed from a container freight station, where permission to make use of or to operate the container freight station is applied for;
- (e) a site plan of the entire container terminal or container freight station, as the case may be, showing access roads and the buildings to be constructed thereon and the boundary or area thereof; and
- (f) where permission to make use of or to operate a container freight station is applied for, a plan of any building to be used for —
 - (i) stuffing containers;
 - (ii) unstuffing containers; and
 - (iii) storage of dutiable goods pending stuffing or removal by consignees on payment of duty thereon, or for export, transshipment, or removal to a Government warehouse or licensed warehouse, as the case may be.
 - (iv) *Deleted by S 791/2004, wef 01/01/2005.*

(3) Upon receiving an application made under paragraph (2), the Director-General may grant such permission subject to such conditions as he thinks fit or refuse to grant it.

(4) The Director-General may, at any time, vary or revoke any condition of any permission granted under this regulation or impose conditions or additional conditions thereto.

(5) The Director-General may suspend or revoke any permission granted under this regulation without assigning any reason therefor.

12. Deleted by S 791/2004, wef 01/01/2005.

Records of container to be maintained by owner

13. The owner of every container brought into or removed from the customs station at Woodlands or Tuas or from the Woodlands Train Checkpoint or from a container terminal or, if such owner is not present in Singapore, the agent appointed by the owner to take charge of or to manage the container, shall keep and maintain proper records of the container showing its official number and reference and such other particulars as the Director-General may require in respect of the container.

Records of container's movements and contents

14. A person to whom any permission to make use of or operate a container terminal or container freight station to store, import or export any containerised goods is granted under regulation 11 shall keep and maintain proper records of —

(a) every container brought into or removed from the container terminal or container freight station in respect of which the permit is issued; and

(b) such details of goods stuffed into or unstuffed from the container as the Director-General may require.

Lot numbers of unstuffed goods

15. —(1) Unless the proper officer of customs otherwise directs, goods unstuffed from a container in a container freight station inside customs territory shall be stacked in one lot and the lot number shall bear the number of the container.

(2) No goods may be removed from any such lot except with the permission of the proper officer of customs.

(3) All damaged goods which have been unstuffed from a container in a container freight station shall be stored in such locked room or rooms as the proper officer of customs may determine.

Securing of dutiable goods in containers

16. —(1) The proper officer of customs may lock, seal or otherwise secure a container containing any goods at any place, including any free trade zone, in such manner as he thinks fit.

(2) A container freight station may be sealed, locked or protected in such manner as the proper officer of customs thinks fit.

(3) All costs and expenses incurred —

(a) under paragraph (1), shall be borne by the owner of the container or the agent appointed by the owner to take charge of or to manage the container; and

(b) under paragraph (2), shall be paid by the person who has been granted permission under regulation 11, in respect of the container freight station.

(4) No person shall, without the prior permission of the proper officer of customs, tamper with, open, break, alter or remove any lock, seal or other safeguards used in respect of a container or container freight station under paragraph (1) or (2) respectively.

(5) No person shall, without the written permission of a proper officer of customs —

(a) possess a seal, which is to be or is issued by the Customs and Excise Department for the purpose of securing a container; or

(b) use or re-use such a seal for that purpose.

(6) No person shall possess a seal which that person knew or had reason to believe at the time when he possessed it to be a counterfeit of a seal issued by the Customs and Excise Department for the purpose of securing a container or use that counterfeit seal to secure a container.

Examination of goods

17. —(1) Where it appears to a senior officer of customs that any container is being transported to a consignee's premises, he may require the goods to be brought to any customs station or premises for examination.

(2) The person in charge of or transporting the container shall comply with any such requisition.

Facilities for customs

18. The person to whom permission has been granted under regulation 11 shall provide, at his own expense at the container terminal or container freight station in respect of which the permission was granted, office accommodation for officers of customs and such other facilities and equipment as the Director-General may require, including equipment for examining, weighing, fumigating, disinfecting and destroying goods.

Hours for stuffing and unstuffing of containers

19. The stuffing and unstuffing of any container at a container freight station or of any container, in respect of which customs supervision of its stuffing and unstuffing has not been waived by a senior officer of customs under regulation 10, shall be carried out during —

(a) 8 a.m. to 5 p.m. from Monday to Friday; and

(b) 8 a.m. to 12.30 p.m. on Saturday.

Extension of hours

20. —(1) An application for an extension of the time allowed for the stuffing and unstuffing of containers under regulation 19 may be made by giving a notice in writing to a proper officer of customs not less than one hour before the expiration of that time.

(2) Where an extension of time is granted under paragraph (1), the applicant shall pay on demand such fee as the Director-General may charge under section 98 of the Act for the attendance of an officer of customs.

(3) A proper officer of customs may refuse to accept an application if notice has not been given within the time specified in paragraph (1).

Late cancellation of request for overtime

21. Where a request for overtime attendance of an officer of customs has been made and no cancellation of the application has been made during office hours prior to the time when overtime is required, the applicant shall pay on demand such fee as the Director-General may charge under section 98 of the Act even though no overtime attendance is utilised.

Penalties

22. Any person who contravenes or fails to comply with any of the provisions of these Regulations or any of the conditions of a permit shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a second or subsequent conviction, to a fine not exceeding \$8,000.

Composition of offences

***23.** [*Deleted*].

* Regulation 23 relating to the composition of offences has been transferred to the Customs (Composition of Offences) (Consolidation) Regulations (Rg 10).

[*G.N.Nos.S6/75;S202/75; S 59/76; S 296/83;S233/93;S372/94;S 553/97; S 393/98;S 227/2002*]