

DISCLAIMER

While every effort will be made to keep the legislation accurate and up-to-date, no warranty of any kind, implied, expressed or statutory, including but not limited to any warranties of title, non-infringement of third party rights, merchantability, satisfactory quality, fitness for a particular purpose and freedom from computers virus, is given in conjunction with this website, or any information and materials therein.

No warranty is given that access to any information or materials on this website, or this website as a whole will be provided uninterrupted or free from errors or that any identified defect will be corrected; further, no warranty is given that this website or any information or materials are free from any virus or other malicious, destructive or corrupting code, agent, program or macros.

Legislation is reproduced on this website with the permission of Government of Singapore. Acts of Parliament are available without charge and updated monthly at the Singapore Government Statutes online website (<http://statutes.agc.gov.sg>).

Hardcopies of the Acts and Subsidiary Legislation can be purchased from the Singapore National Printer Corporation Ltd at their Legal Publications retail outlet at: No. 1 Kim Seng Promenade #18-01 Great World City, East Tower, Singapore 237994, Tel: 6826 9691. Alternatively, you can order the said statutes online via their website (<http://www.snpcorp.com/webshop/>).

CUSTOMS ACT
(CHAPTER 70, SECTION 143)
CUSTOMS REGULATIONS

Arrangement of Provisions

PART I

PRELIMINARY

[1. Citation](#)

[2. Definitions](#)

PART II

GOVERNMENT WAREHOUSES

[3. Permission to enter Government warehouses](#)

[4. Hours of opening of offices and warehouses](#)

[5. Extension of opening hours of offices and warehouses](#)

[6. Cancellation fee](#)

[7. Scale of warehouse rent for Government warehouses](#)

PART III

IMPORTATION AND REMOVAL OF DUTIABLE GOODS

[8. Importation of dutiable goods](#)

[8A. Import and export of goods by rail](#)

[9. Receipt of dutiable goods into Government warehouses](#)

[10. Removal of dutiable goods for local consumption](#)

11. Removal of dutiable goods to another Government warehouse, licensed factory warehouse or licensed warehouse

12. Removal of dutiable goods for export or re-export

13. Transhipment of dutiable goods

13A. Customs declarations

14. Director-General may require dutiable goods to be conveyed in vehicles or wagons capable of being locked, sealed, etc.

PART IV

APPLICATIONS FOR LICENCES UNDER SECTION 50 OF ACT

15. Applications for factory warehouse licences

16. Inspection of premises or site and submission of plans

17. Nature of plans

18. Director-General may order alterations

19. Fire and health safeguards

20. Security may be required

21. Plan of plant to be submitted

22. Director-General may require alterations

23. Plan when approved to be signed

24. No deviation from approved plan

25. Plan to be available for inspection

26. Approval of plans or otherwise

27. Issue of licence

PART V

PREMISES LICENSED UNDER SECTION 50 OF ACT

28. Alterations to premises

29. Unless permission obtained, only watchman may dwell on premises

30. Premises to be clean

31.

32. Duty-paid goods not to be stored in licensed premises

33. Proper officer of customs may place locks, seals and require other safeguards

34. Books of account to be kept by licensee

35. Submission of weekly statement and monthly stock return

36. Nature of goods to be kept in licensed premises

37. Stacking of packages

38. Lots or stacks to be labelled

39. Licensed premises only to be used according to approved plans

40. Removal for local consumption, export or destruction

PART VI

LICENSED WAREHOUSES

41. Applications for warehouse licences

42. Security may be required

43. Security of buildings

44. Alterations of buildings

45. Director-General may order safeguards

46. Nature of goods to be stored

47.

[48. Payment of duty](#)

[49. Submission of daily return](#)

[50. Stock book to be kept](#)

[51. Monthly stock return required](#)

[52. Marking of packages](#)

[53. Inspection of stocks](#)

[54. Goods not to be returned to warehouse without permission](#)

PART VII

SURVEYS OF DUTIABLE GOODS

[55. Presumption as to content of containers](#)

[56. Survey of dutiable goods](#)

[57. Dutiable goods unfit for consumption](#)

[58. Destruction of dutiable goods](#)

[59. Survey fee](#)

PART VIII

DENATURING OF INTOXICATING LIQUORS

[60. Denaturing of intoxicating liquors in warehouses](#)

[61. Industrial spirit](#)

[62. Methylated spirit](#)

PART IX

APPLICATIONS FOR LICENCES UNDER SECTION 63 OF ACT

[63. Applications for licences](#)

64. Inspection of premises or site and submission of plans

65. Accommodation to be provided

66. Director-General may order alterations

67. Fire and health safeguards

68. Director-General to make recommendations

69. Applications to be approved by Minister

70. Plan of plant to be submitted

71. Director-General may require alterations

72. Plan when approved to be signed

73. No deviation from approved plan

74. Issue of licence

PART X

PREMISES LICENSED UNDER SECTION 63 OF ACT

75. Alterations to premises

76. Director-General may order safeguards

77. Unless permission obtained, only watchman may dwell on premises

78. Premises to be clean

79.

80. Liquors and cigarettes not to be returned to premises without permission

81. Proper officer of customs may place locks

82. Liquors to be free from contamination

83. Contaminated liquors to be re-prepared

[84. Director-General to report to Minister](#)

PART XI

BOTTLING, BLENDING, COMPOUNDING AND VARIATION OF INTOXICATING LIQUORS

[85. Application for licence](#)

[86. Plan to be submitted](#)

[87. Plan to be signed when approved](#)

[88. No deviation from approved plan](#)

[89. Issue of licence](#)

[90. Notice of blending to be given](#)

[91.](#)

[92. Bottling of contents of container not to be stopped](#)

[93. Empty bottles not to be removed without permission](#)

[94. Containers to be kept in bottling warehouse until empty](#)

[95. Conditions of bottling](#)

PART XII

LICENSED TOBACCO FACTORIES

[96. Licensee to keep stock book](#)

[97. Restriction on receiving tobacco into licensed premises](#)

[98. Restrictions on removal of tobacco](#)

[99. Adulteration of tobacco forbidden](#)

[100. Possession of materials for adulteration of tobacco forbidden](#)

[101. Packing of products](#)

[102. Labels to be approved by Director-General](#)

[103. Markings](#)

PART XIII

CLAIMS TO DRAWBACK ON TOBACCO

[104. Notice of packing to be given](#)

[105. Cases to be sealed](#)

[106. Restrictions on export](#)

[107. Proof of landing may be required](#)

[108. Claims to be submitted monthly](#)

[109. Assessment of weight for drawback](#)

[110. Decision of Director-General final](#)

PART XIV

CLAIMS TO DRAWBACK UNDER SECTION 81 OF ACT

[111. Application to claim drawback under section 81 of Act](#)

[112. Security of building and accommodation](#)

[113. Security may be required](#)

[114. Director-General may order safeguards](#)

[115. Alteration to premises or plants](#)

[116. Unless permission obtained, only watchman may dwell on premises](#)

[117. Proper officer of customs may place locks](#)

[118. Books of account to be kept in factory](#)

[119. Submission of monthly return](#)

- [120. Stacking of packages](#)
- [121. Lots or stacks to be labelled](#)
- [122. Notice of manufacture and packing to be given](#)
- [123. Packages to be sealed](#)
- [124. Seals, etc., not to be tampered](#)
- [125. Declaration to be submitted for approval](#)
- [126. Particulars required as declaration](#)
- [127. Restrictions on export](#)
- [128. Proof of landing may be required](#)
- [129. Hours of manufacture, packing and removal for export under drawback](#)
- [130. All operations to be performed by manufacturer and at his expense](#)
- [131. Goods not to be returned to factory without permission](#)
- [132. Powers of inspection](#)
- [133. Claims to be submitted monthly](#)
- [134. Assessment of drawback](#)
- [135. Claims for drawback may be refused unless provisions of law are complied with](#)
- [136. Decision of Director-General final](#)

PART XV

ASSESSMENT OF DUTY

- [137. Basis of assessment of duty](#)
- [138. Determination of alcoholic strength](#)
- [139.](#)

[139A.](#)

[139B](#)

[140. Cigarettes](#)

[141. Beedies](#)

[142. Cigars](#)

PART XVI

FEES

[143. Fees for licences](#)

[144. Period for which licences shall be issued](#)

[145. Attendance fees](#)

PART XVII

MISCELLANEOUS

[*146. Composition of offences](#)

[147. Disposal of forfeitures](#)

[148. Penalties](#)

FIRST SCHEDULE

SECOND SCHEDULE

[FEES](#)

PART I
PRELIMINARY

Citation

1. These Regulations may be cited as the Customs Regulations.

Definitions

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

(a) in relation to a mixture of alcohol and some other substances, means the ratio, expressed as a percentage, of the mass of alcohol present in the mixture to the total mass of the mixture; and

(b) in relation to a mixture of alcohol and water, means the ratio, expressed as a percentage, of the volume of alcohol present in the mixture at a temperature of 20°C to the total volume of the mixture;

"certificate of registration" means a certificate issued by the Registrar under section 9 of the Business Registration Act (Cap. 32);

"licensed premises" means premises in respect of which a licence has been issued under section 50, 51, 63 or 66 of the Act;

PART II
GOVERNMENT WAREHOUSES

Permission to enter Government warehouses

3. No person shall enter any Government warehouse except with the permission of a proper officer of customs.

Hours of opening of offices and warehouses

4. —(1) The hours during which customs offices and Government warehouses shall ordinarily be open for business shall be as follows:

(a) Mondays to Fridays — 8 a.m. to 5 p.m.;

(b) Saturdays — 8 a.m. to 12.30 p.m.

(2) Notwithstanding paragraph (1), Government warehouses for the storage of dutiable goods in transit and the Government warehouse at the Changi International Airport shall remain open during such hours as the Director-General may from time to time direct.

Extension of opening hours of offices and warehouses

5. —(1) The hours specified in regulation 4 (1) may be extended in respect of customs offices and Government warehouses, subject to the following conditions:

(a) that notice shall be given in writing to a proper officer of customs not less than one hour before the ordinary closing hour immediately preceding the time when it is desired to have the customs office or Government warehouse opened; and

(b) that the person giving the notice required under paragraph (a) shall pay on demand, after overtime has been worked, such overtime fee as the Director-General may charge under section 98 of the Act for the attendance of an officer of customs.

(2) A proper officer of customs may, in his discretion, approve or refuse any application not presented in due time as specified in paragraph (1) (a).

Cancellation fee

6. When overtime is requested and where a request is not cancelled before the close of the ordinary office hours immediately preceding the time it was requested that overtime be worked, the person who made the request shall pay on demand such minimum overtime fee as the Director-General may charge under section 98 of the Act.

Scale of warehouse rent for Government warehouses

7. —(1) Warehouse rent on goods deposited in Government warehouses, other than those which are situated within the boundary limits of an airport and in the transit warehouses operated by the Director-General, shall be as set out in the First Schedule.

(2) Warehouse rent shall be charged monthly, at the close of business on the last day of each month, on the quantity of goods deposited in the warehouse at any time during the month.

(3) No warehouse rent shall be charged for more than one month in any case where the period of storage of the whole or part of the goods does not exceed 30 days.

(4) Goods deposited in Government warehouses situated within the boundary limits of an airport and in the transit warehouses operated by the Director-General shall be charged warehouse rent at the rate of 30 cents per kilogramme gross weight pro rata for each period of 7 days or part thereof subject to a minimum charge of \$4 for each period of 7 days or part thereof for each consignment.

(5) Subject to item 5 in the First Schedule, in computing the total amount of warehouse rent payable, any fraction of a dollar shall be ignored.

PART III

IMPORTATION AND REMOVAL OF DUTIABLE GOODS

Importation of dutiable goods

8. —(1) Every person importing dutiable goods shall apply to a proper officer of customs, in such form as the Director-General may require, for permission to move the dutiable goods from the ship, aircraft or vehicle by which they were imported or, in the case of dutiable goods imported by rail, from the Woodlands Train Checkpoint.

(2) An importer of dutiable goods may be required to furnish security to the Director-General for the amount of duty payable on such goods imported.

(3) The security may be furnished by a cash deposit or a bank guarantee or both.

Import and export of goods by rail

8A. —(1) The master or charterer of a train shall, on arrival of the train at the Woodlands Train Checkpoint produce on demand to the proper officer of customs at that Checkpoint

—

(a) the inward or outward manifest of goods brought into or exported from Singapore on the train; and

(b) all invoices, waybills and any other document which the officer may require to test the accuracy of any declaration made by an importer or exporter of goods on that train to any officer of customs in connection with the issue of a customs permit for those goods.

(2) The Director-General may allow dutiable goods on board a train to be removed from the customs station along the railway without a customs permit pending payment of the customs duty or excise duty payable thereon and any composition of any offence.

(3) Before doing so, the Director-General may, in his discretion, require that security be lodged by the railway administration to his satisfaction to guarantee the safe custody of the goods pending payment of the customs duty or excise duty and composition sum within such time as he may allow.

Receipt of dutiable goods into Government warehouses

9. Dutiable goods will be received into a Government warehouse on presentation of the form referred to in regulation 8 duly endorsed by a proper officer of customs.

Removal of dutiable goods for local consumption

10. —(1) Whenever the owner of dutiable goods is desirous of removing the whole or part of such goods from a Government warehouse, licensed factory warehouse or licensed warehouse or from the ship, aircraft, train or vehicle by which they were imported for local consumption, he shall personally or by his agent —

(a) submit to the proper officer of customs a declaration in such form as the Director-General may require and pay the duty assessed upon the goods to be removed; and in the case of dutiable goods delivered in accordance with the Customs (Duties) (Exemption) Order (O 5), submit the relevant exemption certificate in accordance with the provisions of that Order; and

(b) in the case of dutiable goods deposited in a Government warehouse, produce to the proper officer of customs the warehouse deposit receipt issued under section 53 (1) of the Act, or a delivery order issued under section 53 (4) of the Act and pay all charges due on the goods to be removed.

(2) The proper officer of customs shall thereupon authorise the removal of the dutiable goods.

Removal of dutiable goods to another Government warehouse, licensed factory warehouse or licensed warehouse

11. —(1) Whenever the owner of dutiable goods is desirous of removing the whole or part of such goods from a Government warehouse, licensed factory warehouse or licensed warehouse to another Government warehouse, licensed factory warehouse or licensed warehouse, he shall personally or by his agent —

(a) submit to the proper officer of customs at the warehouse in which the goods are deposited a declaration, in such form as the Director-General may require, of the goods to be removed;

(b) in the case of dutiable goods deposited in a Government warehouse, produce to the proper officer of customs the warehouse deposit receipt issued under section 53 (1) of the Act, or a delivery order issued under section 53 (4) of the Act and pay all charges due on the goods to be removed; and

(c) furnish security, if so required, to the satisfaction of the Director-General, to guarantee payment of duty for which he may become liable under paragraph (2).

(2) The proper officer of customs shall thereupon issue an order authorising the removal of the goods, provided that, in issuing such order, the proper officer of customs may impose such conditions as he may think necessary for the safeguarding of the revenue.

(3) The owner of any goods removed under this regulation or his agent shall pay the duty leviable on any such goods not accounted for by deposit in another Government warehouse, licensed factory warehouse or licensed warehouse.

Removal of dutiable goods for export or re-export

12. —(1) The Director-General may, in his discretion, impose a limit on the quantity of dutiable goods which are to be exported or re-exported by any vessel of 300 net registered tonnes or below for the safeguarding of the revenue.

(2) Where dutiable goods are to be conveyed for export or re-export in any vessel of 300 net registered tonnes or below, a senior officer of customs may require the master or person in charge of the vessel to keep or store such goods in a locked hold for as long as the vessel is within the territorial waters of Singapore and the senior officer of customs may seal such hold.

(3) No person shall, without lawful authority, open, alter, break or remove any seal placed by a senior officer of customs under paragraph (2) while the vessel is still within the territorial waters of Singapore.

(4) If any dutiable goods which are kept in the vessel under paragraph (2) are found to be missing or re-landed in Singapore, the goods shall be presumed, until the contrary is proved, to have been illegally removed from such vessel with the consent of the master or the person in charge of the vessel.

(5) Whenever the owner of any dutiable goods is desirous of removing the whole or part of such goods from a Government warehouse, licensed factory warehouse or licensed warehouse for export or re-export, as the case may be, he shall personally or by his agent —

(a) submit to the proper officer of customs at the warehouse in which the goods are deposited a declaration, in such form as the Director-General may require, of the goods to be removed;

(b) in the case of goods deposited in a Government warehouse, produce to the proper officer of customs the warehouse deposit receipt issued under section 53 (1) of the Act, or a delivery order issued under section 53 (4) of the Act and pay all charges due on the goods to be removed; and

(c) furnish security, if so required, to the satisfaction of the Director-General to guarantee payment of customs duty or excise duty for which he may become liable under paragraph (7).

(6) The proper officer of customs shall thereupon issue an order authorising the removal of the goods, provided that, in issuing the order, the proper officer of customs may impose such conditions as he may consider necessary for the safeguarding of the revenue.

(7) The owner of any goods removed under this regulation or his agent shall, if so required by the proper officer of customs, produce evidence that the goods have been exported or re-exported and shall pay the customs duty or excise duty leviable on any part of the goods —

(a) not accounted for to the satisfaction of the proper officer of customs; or

(b) if they are found to have been illegally re-landed in Singapore.

(8) If any goods removed for export or re-export under this regulation are found to have been illegally re-landed in any place in Singapore, the owner and the exporter of the goods and the owner's agent shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

(9) The Director-General may, in his discretion, require the owner of any vessel carrying dutiable goods for export or re-export or his agent —

(a) to furnish security to guarantee payment of customs duty or excise duty in the event the goods are re-landed in Singapore; and

(b) to secure the good conduct of the crew of the vessel.

Transshipment of dutiable goods

13. —(1) The consignor of goods intended for transshipment or his agent shall submit to the proper officer of customs a declaration, in such form as the Director-General may require, of the goods to be transhipped.

(2) The consignor of goods intended for transshipment or his agent shall, if so required by the proper officer of customs, produce evidence that the goods have been transhipped and shall pay the customs duty or excise duty leviable on any part of such goods not accounted for to the satisfaction of the proper officer of customs.

(3) The consignor of such goods or his agent shall furnish security, if so required, to the satisfaction of the Director-General, to guarantee payment of duty for which he may become liable under paragraph (2).

Customs declarations

13A. —(1) The types of Customs declarations required for the movement of dutiable goods in Singapore shall be as follows:

(a) an Inward/Transshipment/Removal/Payment Declaration;

(b) an Outward Declaration; and

(c) a Duty Exemption Certificate.

(2) The purposes of the Customs declarations referred to in paragraph (1) shall be as follows:

(a) an Inward Declaration shall be required for the removal of dutiable goods from any arrival point (whether by sea, air, rail or road from West Malaysia via Woodlands or Tuas, or from the free trade zones) to any licensed premises or other approved place of storage;

(b) a Transshipment Declaration shall be required for the removal of dutiable goods —

(i) imported by sea from vessels at anchorage to the free trade zone for storage;

(ii) from the free trade zone for re-export to foreign destinations;

(iii) from one free trade zone to another; and

(iv) from the point at which they arrive on import to another point at which they are to be re-exported (such as from West Malaysia via Woodlands or Tuas to Changi International Airport);

(c) a Removal Declaration shall be required to cover the movement of dutiable goods between any licensed or approved premises within customs territory (such as from one licensed warehouse to another);

(d) a Payment Declaration shall be required for the payment of customs duty or excise duty or tax on goods;

(e) an Outward Declaration shall be required to cover the movement of dutiable goods from customs territory for export or storage in the free trade zone; and

(f) a Duty Exemption Certificate shall be required for dutiable goods which are exempted from payment of duty in Singapore.

Director-General may require dutiable goods to be conveyed in vehicles or wagons capable of being locked, sealed, etc.

14. —(1) The Director-General, if he considers it necessary, may require dutiable goods imported, exported, re-exported or in transit by road to be conveyed in completely covered vehicles or wagons which are capable of being locked, sealed or otherwise secured.

(2) No locks, seals or other safeguards placed on such vehicles or wagons by the proper officer of customs shall be tampered with, opened, broken, altered or removed without the consent of the proper officer of customs.

(3) The Director-General may refuse to permit the carriage of dutiable goods by motor vehicles as provided for in paragraph (1), unless the construction of the bodies of such vehicles is in accordance with requirements approved by him.

PART IV

APPLICATIONS FOR LICENCES UNDER SECTION 50 OF ACT

Applications for factory warehouse licences

15. Every application for a factory warehouse licence shall be made in writing to the Director-General specifying —

- (a) the name, identity card number and address of the applicant;
- (b) the style under which he trades;
- (c) the number of the certificate of registration;
- (d) the name of the street or exact locality and the number of the premises, or the lot number of the ground upon which it is intended to build the premises, where it is desired to warehouse dutiable goods intended for manufacture and to carry on the manufacture;
- (e) the storage area of the premises;
- (f) the nature of the goods to be produced, the output proposed and whether for local consumption or for export or both;
- (g) the class and quantity of goods to be stored; and
- (h) the estimated annual duty which will be paid on the raw materials removed for the purpose of manufacture or on the finished or semi-finished product, as the case may be.

Inspection of premises or site and submission of plans

16. If the Director-General is satisfied that the applicant is a fit and proper person to receive a licence, he shall —

- (a) cause to be inspected the premises to be licensed or the site upon which it is intended to erect the premises; and
- (b) call for such plans and drawings, as may be necessary, setting out in detail the proposed layout and construction thereof.

Nature of plans

17. Provision shall be made in the plans required under regulation 16 for the following:

- (a) separate storage space for raw materials, finished or semi-finished products and the waste products of the factory;
- (b) separate factory space to be used solely for manufacture and not for any other purpose;
- (c) accommodation in the form of married quarters free of cost for such number of officers of customs as the Director-General may require to be stationed on the premises;
- (d) a separate office for the officers of customs; and
- (e) any other requirement considered necessary by the Director-General in order to ensure adequate protection of the revenue.

Director-General may order alterations

18. The Director-General may call for such alterations in the plans submitted to him as are necessary to make them conform with regulation 17.

Fire and health safeguards

19. The applicant shall make such provisions against fire and for safeguarding health as the fire and health authorities may require.

Security may be required

20. The Director-General shall, upon being satisfied that the proposed premises are suitable to be licensed as a factory warehouse, sign the plans and inform the applicant of the amount, if any, which he is required to furnish as security for the proper conduct of his business.

Plan of plant to be submitted

21. Before the installation of plant intended to be used on the licensed premises, the applicant shall submit a plan of the plant for the approval of the Director-General.

Director-General may require alterations

22. The Director-General may, at any time require the applicant to make such additions or alterations to the plan of such plant or to such plant after installation, as he may consider necessary for the adequate protection of the revenue.

Plan when approved to be signed

23. The Director-General, when satisfied with the details of the plant submitted in accordance with regulation 21, shall signify his approval by signing a plan thereof.

No deviation from approved plan

24. The applicant shall not deviate from an approved plan except with the written approval of the Director-General.

Plan to be available for inspection

25. A copy of each plan approved by the Director-General under regulations 20 and 23 shall be produced for inspection by the proper officer of customs when required.

Approval of plans or otherwise

26. The Director-General shall, as soon as a decision has been reached with respect to the plans submitted under regulations 16 and 21, inform the applicant of the decision but shall not be required to give any reason for the decision.

Issue of licence

27. The Director-General shall, when satisfied that the premises and plant therein are complete and ready for operation and on receipt of the security required under regulation 20 and on payment of the prescribed fee, issue a licence to the applicant, subject to such conditions as he may consider necessary to impose.

PART V

PREMISES LICENSED UNDER SECTION 50 OF ACT

Alterations to premises

28. No structural alteration or installation of plant or machinery to be used for the purpose of manufacture may be made in any licensed premises without the written approval of the Director-General having first been obtained.

Unless permission obtained, only watchman may dwell on premises

29. Except with the permission of the Director-General, no person other than a watchman may dwell on the licensed premises.

Premises to be clean

30. The licensee shall at all times keep his premises in a clean and sanitary condition.

31. Deleted by S 444/2002, wef 01/10/2002

Show Versions

Duty-paid goods not to be stored in licensed premises

32. —(1) No goods upon which customs duty or excise duty has been paid shall be stored in any licensed premises, except with the permission of the proper officer of customs.

(2) No dutiable goods, including finished or semi-finished products, shall be removed for export or otherwise from a licensed factory warehouse, nor shall the goods be returned to any such warehouse, without the prior written permission of the proper officer of customs.

Proper officer of customs may place locks, seals and require other safeguards

33. —(1) The proper officer of customs may place such locks or seals upon any part of the licensed premises or portion of the plant therein, and may require other safeguards as he may consider necessary for the protection of the revenue.

(2) Such safeguards shall be provided at the expense of the licensee.

(3) Where locks, seals or other safeguards are placed upon the outer door or doors of any licensed premises, any senior officer of customs shall have access at all times to such door or doors for the inspection of the locks, seals or other safeguards placed thereon.

(4) No locks, seals or other safeguards placed in accordance with paragraph (1) shall be tampered with, opened, broken, altered or removed without the consent of the proper officer of customs.

Books of account to be kept by licensee

34. —(1) Every licensee shall maintain —

(a) a stock book for recording the quantity, description and country of origin of all raw materials received into the licensed premises, and the number of the relative removal permit or other document authorising removal;

(b) a register in which shall be entered the quantity and description of all raw materials removed into the factory for the purpose of manufacture, the quantity and description of the product resulting from manufacture and the manner of disposal thereof; and

(c) a waste stock book.

(2) All such books and register shall be in the form approved by the Director-General and shall be entered daily and balanced at the close of business on the last day of each month.

(3) Every licensee shall —

- (a) at all times keep at the licensed premises the stock book, register and waste stock book, books of account, invoices and other documents connected with his manufacturing operations;
- (b) produce on demand at any time for the inspection of the proper officer of customs the said books and documents, and allow that officer to make such abstracts therefrom as he may think fit;
- (c) allow at any time any senior officer of customs to examine, inspect, weigh or check the stocks of dutiable raw materials and of finished or semi-finished products held on the licensed premises and, for this purpose, that officer may require to see every package containing dutiable goods and the contents thereof, and also to draw samples of the finished or semi-finished products for purpose of analysis;
- (d) pay on demand to the Director-General the customs duty or excise duty on any dutiable goods which cannot be satisfactorily accounted for; and
- (e) permit any senior officer of customs to inspect all labels, wrappers or containers used or attached, or intended to be used or attached, in connection with the products manufactured by him.

Submission of weekly statement and monthly stock return

35. Every licensee shall —

- (a) submit weekly to the Director-General a statement, in such form as the Director-General may require, showing details of all dutiable goods received into the licensed premises or removed from the factory for the purpose of manufacture during the preceding week; and
- (b) furnish not later than the tenth day of each month to the Director-General a return, in such form as the Director-General may prescribe, giving details of the balances of all dutiable raw materials and of the finished or semi-finished products stored in his licensed premises as at the close of business on the last day of the previous month.

Nature of goods to be kept in licensed premises

36. No goods other than those specified in the licence issued under and in accordance with section 50 of the Act shall be stored in any licensed premises, except with the prior written permission of the proper officer of customs.

Stacking of packages

37. Any senior officer of customs may require that all packages entering the licensed premises shall be stacked in such manner that every package may be accounted for and inspected.

Lots or stacks to be labelled

- 38.** —(1) Any senior officer of customs may require a licensee to affix to every lot or stack of dutiable raw materials or of the finished or semi-finished products stored in the licensed premises a stock-card or other label in such form as he may specify.
- (2) Such stock-card or label shall show the quantity and description of the contents of the lot or stack.

Licensed premises only to be used according to approved plans

- 39.** —(1) The storage space required to be provided for under regulation 17 shall not be used for purposes other than those specified on the plans approved by the Director-General under regulation 20.
- (2) No raw materials shall be stored or kept in the factory except those required for use in the process of manufacture.

(3) The finished or semi-finished products shall be stored separately from the waste products of the factory and in accordance with the directions of the proper officer of customs.

Removal for local consumption, export or destruction

40. —(1) Whenever the licensee wishes to remove any finished or semi-finished product or waste product from his licensed premises for local consumption, export or destruction, he shall personally or by his agent submit to the proper officer of customs a declaration, in such form as the Director-General may require, of the goods to be removed.

(2) In the case of goods intended for local consumption, the licensee shall pay the duty assessed on the dutiable components used in the manufacture of such goods.

(3) The proper officer of customs shall thereupon authorise in writing the removal of the goods.

PART VI

LICENSED WAREHOUSES

Applications for warehouse licences

41. Every application for a licence to warehouse goods liable to duty shall be made in writing to the Director-General specifying —

- (a) the name, identity card number and address of the applicant;
- (b) the style under which he trades;
- (c) the class and quantity of goods to be stored;
- (d) the estimated annual duty which will be paid on goods cleared from the warehouse;
- (e) the location and storage area of the warehouse; and
- (f) a detailed plan of the layout and construction of the proposed warehouse.

Security may be required

42. The Director-General may require any applicant to give references and to furnish security for the due payment of all duties and fees for which he may become liable.

Security of buildings

43. Buildings licensed as warehouses for the storage of goods liable to duty shall be secured to the satisfaction of the Director-General.

Alterations of buildings

44. No structural alteration may be made in any licensed warehouse without the written approval of the Director-General having first been obtained.

Director-General may order safeguards

45. The Director-General may, at any time, in writing, direct the licensee to provide any additional means for keeping and securing the safety of the dutiable goods stored which may, in the opinion of the Director-General, be necessary.

Nature of goods to be stored

46. —(1) A licensed warehouse shall be used exclusively for the storage of dutiable goods.

(2) No merchandise other than dutiable goods shall be kept in the warehouse except with the permission in writing of the Director-General and subject to such conditions as the Director-General may impose.

47. Deleted by S 444/2002, wef 01/10/2002

Show Versions

Payment of duty

48. —(1) No dutiable petroleum shall be removed from a licensed warehouse except after payment of the duty payable thereon.

(2) The licensee of a warehouse, licensed to store dutiable petroleum, shall submit a statement, in such form as the Director-General may require, setting out the quantities of dutiable petroleum removed from his licensed warehouse for local consumption during the preceding month not later than the tenth day of the month following that in which the removal took place.

(3) The licensee shall also submit, not later than the tenth day of the month following that in which the removal took place, exemption certificates in respect of goods delivered in accordance with the Customs (Duties) (Exemption) Order (O 5).

(4) The Director-General may, in respect of petroleum exempted from duty under the provisions of Part I of the Schedule to the Customs (Duties) (Exemption) Order, allow such reasonable extension of time as may be necessary for the submission of exemption certificates in respect of deliveries in accordance with that Order.

Submission of daily return

49. Every licensee other than the licensee of a warehouse licensed to store dutiable petroleum shall, not later than 11 a.m. on each working day or such period as the Director-General may allow, submit to the Director-General a return, in such form as the Director-General may require, showing details of all dutiable goods received into or removed from his licensed warehouse during the preceding day.

Stock book to be kept

50. Every licensee shall —

(a) maintain in his licensed warehouse a stock book, in a form approved by the Director-General; and

(b) enter daily in the stock book details of all dutiable goods received into or removed from his licensed warehouse.

Monthly stock return required

51. Every licensee shall, not later than the fifth day of each month, furnish to the Director-General a return, in such form as the Director-General may require, showing details of —

(a) the opening and closing balances of all dutiable goods stored in his licensed warehouse on the first day and at the close of business on the last day of the previous month, respectively; and

(b) all dutiable goods received into or removed from his licensed warehouse during the previous month.

Marking of packages

52. —(1) Any senior officer of customs may require that all packages entering a

warehouse shall be marked with such identification marks and in such manner as he may direct.

(2) Packages shall be stacked as directed by a senior officer of customs and in such manner that every package may be accounted for and inspected.

Inspection of stocks

53. Any senior officer of customs may examine at any time the stock of dutiable goods in a warehouse and, for this purpose, may require to see every package containing dutiable goods and the contents thereof.

Goods not to be returned to warehouse without permission

54. Without the written permission of the proper officer of customs having first been obtained —

(a) all goods liable to customs duty or excise duty by an order made under section 10 (1) of the Act on which the customs duty or excise duty has been paid shall not be stored in any Government warehouse, licensed factory warehouse or licensed warehouse; and

(b) no dutiable goods, whether removed for export or otherwise, shall be returned to a Government warehouse, licensed factory warehouse or licensed warehouse.

PART VII

SURVEYS OF DUTIABLE GOODS

Presumption as to content of containers

55. —(1) Every case, cask, receptacle or package containing dutiable goods shall, for the purpose of payment of customs duties or excise duties or excise duties, be deemed to contain —

(a) such goods as are described in the relevant form submitted to the Director-General under these Regulations; and

(b) no less quantity of goods than is contained in similar cases, casks or other receptacles in the ordinary way of business,

unless the owner thereof or his agent makes a written request for survey of such goods to the proper officer of customs within 24 hours of the arrival of the dutiable goods in a Government warehouse, licensed factory warehouse or licensed warehouse, wherein they are deposited in accordance with section 52 of the Act.

(2) In respect of any survey made in accordance with the provisions of these Regulations, a report shall be made by the proper officer of customs in such form as the Director-General may require.

(3) One copy of the report shall be given to the owner of the goods or his agent.

Survey of dutiable goods

56. —(1) When the owner of any dutiable goods or his agent has requested a survey under regulation 55, the proper officer of customs shall permit the owner or his agent to survey and recondition the goods.

(2) The survey referred to in paragraph (1) shall be made in the presence and under the direction of an officer of customs.

(3) If on any survey made under paragraph (1), the quantity of dutiable goods found in any case, cask, receptacle or package is found to be deficient, then in any such case, the proper officer of customs may remit the customs duty or excise duty payable on the goods so found to be deficient.

(4) The Director-General may, in his discretion, at the written request of the owner or his agent permit further surveys or reconditioning of the dutiable goods contained in any case, cask, receptacle or package.

(5) After the survey and reconditioning of cases, casks, receptacles or packages containing dutiable goods, the cases, casks, receptacles or packages shall be closed and sealed by the owner or his agent to the satisfaction of the proper officer of customs.

Dutiable goods unfit for consumption

57. —(1) If at any time the owner or his agent or the Director-General considers that any dutiable goods in any warehouse are unfit for consumption or use, the owner or his agent may request, or the Director-General may direct, that the dutiable goods be surveyed as provided in regulations 55 and 56.

(2) If upon such survey, the Director-General is satisfied that the dutiable goods are permanently unfit for consumption or use, he may cause the dutiable goods to be destroyed by the owner or his agent at the expense of the owner or agent and an entry to be made in the stock records of such destruction.

Destruction of dutiable goods

58. —(1) The owner or his agent may, at any time, request permission to destroy dutiable goods stored in a warehouse.

(2) The Director-General shall, upon receipt of the request, permit the goods to be destroyed after survey, subject to such conditions as he may in his discretion impose.

(3) The owner or his agent shall thereupon cause the goods to be destroyed in the presence of the proper officer of customs and an entry shall be made in the stock records of such destruction.

Survey fee

59. A fee for the survey of dutiable goods as may be determined by the Director-General under section 98 of the Act shall be charged on and paid by the owner of the goods or his agent.

PART VIII

DENATURING OF INTOXICATING LIQUORS

Denaturing of intoxicating liquors in warehouses

60. —(1) The owner of intoxicating liquors deposited in a Government warehouse, licensed factory warehouse or licensed warehouse desirous of denaturing the intoxicating liquors shall submit a written application to the Director-General setting out the place where the liquors are stored and the manner in which it is desired to denature the liquors.

(2) The Director-General may, upon receipt of the application, permit the intoxicating liquors to be denatured in the presence of a senior officer of customs in accordance with a

formula approved by him and subject to such conditions as he may in his discretion impose.

(3) If the Director-General is satisfied that the intoxicating liquors have been denatured in accordance with paragraph (2), he may authorise the release of the liquors.

(4) The Director-General may for the purposes of this regulation require the owner of intoxicating liquors to obtain and submit for his perusal a certificate from an analyst employed by the Health Sciences Authority identifying the denaturants used to denature the liquors.

Industrial spirit

61. —(1) Intoxicating liquors deposited in a Government warehouse, licensed factory warehouse or licensed warehouse which are rendered temporarily unfit for use as a beverage by the admixture of other substances may be authorised by the Director-General to be released as industrial spirit if the Director-General is satisfied that those substances were mixed in accordance with a formula approved by him and in the presence of a senior officer of customs.

(2) The Director-General may for the purposes of this regulation require the owner of intoxicating liquors to obtain and submit for his perusal a certificate from an analyst employed by the Health Sciences Authority identifying the substances mixed with the intoxicating liquors.

Methylated spirit

62. Denatured spirit deposited in a Government warehouse, licensed factory warehouse or licensed warehouse may be released if certified by an analyst employed by the Health Sciences Authority to have been methylated according to one of the following formulae:

(a) by the addition to 100 parts by volume of intoxicating liquor of one part mineral naphtha (kerosene) and one sixth of one part crude pyridine; or

(b) by the addition to 90 parts by volume of intoxicating liquor of 91/2 parts of wood naphtha (crude methyl alcohol) and half of one part of crude pyridine and also to every 100 parts of such admixture three-eighths of one part of mineral naphtha (kerosene).

PART IX

APPLICATIONS FOR LICENCES UNDER SECTION 63 OF ACT

Applications for licences

63. —(1) For the purpose of section 63 of the Act —

(a) every application for a licence to manufacture any dutiable goods (other than a licence for the home-brewing of beer) shall be made in writing to the Director-General specifying —

(i) the name, identity card number and address of the applicant;

(ii) the name of the street or exact locality and the number of the premises, or the lot number of the ground upon which it is intended to build the premises, where it is desired to carry on the manufacture;

- (iii) the nature of the goods to be produced, the output proposed and whether for local consumption or for export or both; and
 - (iv) the security offered for the due payment of all duties and fees and for the proper conduct of the business; and
- (b) every application for a licence for the home-brewing of beer shall be made in writing to the Director-General specifying the name, identity card number and address of the applicant.
- (2) Regulations 64 to 74 shall not apply in respect of an application for a licence for the home-brewing of beer, and the Director-General may grant such a licence with the approval of the Minister and upon receipt of the prescribed fee.
- (3) In this regulation, “home-brewing of beer” means the fermenting or manufacture of ale, beer, stout or porter for personal use.

Inspection of premises or site and submission of plans

64. If the Director-General is satisfied that the applicant is a fit and proper person to receive a licence, he shall —

- (a) cause to be inspected the premises upon which the goods are to be manufactured, or the site upon which it is intended to erect such premises; and
- (b) call for a plan setting out in detail the proposed layout or construction thereof.

Accommodation to be provided

65. Provision shall be made in the plan required under regulation 64 for the following:

- (a) separate store rooms of suitably strong construction for the storage of raw materials and for the storage of the finished product of the factory;
- (b) accommodation in the form of married quarters free of cost for such number of officers of customs as the Director-General may require to be stationed on the premises;
- (c) a separate office for the officers of customs; and
- (d) any other requirement considered necessary by the Director-General in order to ensure adequate protection of the revenue.

Director-General may order alterations

66. The Director-General may call for such alterations in the plan submitted to him as are necessary to make it conform to regulation 65.

Fire and health safeguards

67. The applicant shall make such provisions against fire and for safeguarding health as the fire and health authorities may require.

Director-General to make recommendations

68. When the premises or site have been inspected, the Director-General shall forward the application to the Minister together with his recommendations, if any.

Applications to be approved by Minister

69. —(1) If the Minister approves the application, the Director-General shall inform the applicant and sign the plan.

(2) The Director-General may also, if so directed by the Minister, inform the applicant that a licence to manufacture the dutiable goods in respect of which the application was made, will be issued to him when the proposed licensed premises or sites have been converted or completed and approved by the Director-General.

Plan of plant to be submitted

70. Before the installation of a plant intended to be used for the manufacture of any

dutiable goods, the applicant shall submit a plan of the plant for the approval of the Director-General.

Director-General may require alterations

71. The Director-General may at any time require the applicant to make such additions or alterations to the plan of such plant or to such plant after installation, as he may consider necessary for the adequate protection of the revenue.

Plan when approved to be signed

72. The Director-General, when satisfied with the details of the plant submitted in accordance with regulation 70, shall signify his approval by signing a plan thereof.

No deviation from approved plan

73. The applicant shall not deviate from an approved plan except with the written approval of the Director-General.

Issue of licence

74. When the premises and plant therein have been completed and approved, the Director-General, on receipt of the prescribed fee, shall issue a licence, in such form as he may think fit, to the applicant to manufacture the dutiable goods in respect of which the application was made, in accordance with section 63 of the Act.

PART X

PREMISES LICENSED UNDER SECTION 63 OF ACT

Alterations to premises

75. No structural alteration or installation of plant or machinery to be used in connection with the manufacture of any dutiable goods may be made in any licensed premises without the written authority of the Director-General being first obtained.

Director-General may order safeguards

76. The Director-General may at any time, in writing, direct the licensee to provide any additional means for keeping and securing the safety of the raw materials and of the product of the factory which may, in the opinion of the Director-General, be necessary.

Unless permission obtained, only watchman may dwell on premises

77. Except with the permission of the Director-General, no person other than a watchman may dwell on the licensed premises.

Premises to be clean

78. The licensee shall at all times keep his premises in a clean and sanitary condition.

79. Deleted by S 444/2002, wef 01/10/2002

Liquors and cigarettes not to be returned to premises without permission

80. The licensee shall not —

(a) store in his licensed premises intoxicating liquors or cigarettes, upon which the duty has been paid; or

(b) receive back into his licensed premises any intoxicating liquors or cigarettes which have been previously removed, whether for export or otherwise, without the permission in writing of a proper officer of customs having first been obtained.

Proper officer of customs may place locks

81. —(1) The proper officer of customs may place such locks, seals or other safeguards as he considers necessary for the protection of the revenue upon any part of the licensed premises or portion of the plant therein.

(2) Such safeguards shall be provided at the expense of the licensee.

(3) No locks, seals or other safeguards placed in accordance with paragraph (1) shall be tampered with, opened, broken, altered or removed without the consent of the proper officer of customs.

Liquors to be free from contamination

82. Any person who produces any intoxicating liquor on any licensed premises shall ensure that the intoxicating liquor produced is free from such injurious amounts of metallic contamination as may be specified in any written law.

Contaminated liquors to be re-prepared

83. Where any intoxicating liquor produced on the licensed premises is found to be contaminated, the Director-General may —

(a) instruct the licensee to re-distil, re-make or re-prepare such liquors; and

(b) if necessary, cause the licensee to alter the plant installed on the licensed premises for the distillation or preparation of intoxicating liquors.

Director-General to report to Minister

84. The Director-General shall forthwith report to the Minister any failure to comply with any instructions given to a licensee under regulation 83.

PART XI

BOTTLING, BLENDING, COMPOUNDING AND VARIATION OF INTOXICATING LIQUORS

Application for licence

85. Every application for a licence to bottle, blend, compound or vary any intoxicating liquors under section 66 of the Act shall be made in writing to the Director-General, specifying —

(a) the name, identity card number and address of the applicant;

(b) the name of the street or exact locality and the number of the premises which it is desired to be licensed;

(c) the types of liquors which it is proposed to bottle, blend, compound or vary; and

(d) the security which the applicant offers for the proper conduct of his business.

Plan to be submitted

86. The applicant shall —

(a) submit to the Director-General a plan of the proposed premises and plant therein; and

(b) make such alterations in the plan as may be required by the Director-General for the protection of the revenue.

Plan to be signed when approved

87. The Director-General, if satisfied with the plan, shall signify his approval by signing the plan.

No deviation from approved plan

88. The applicant shall not deviate from an approved plan except with the written approval of the Director-General.

Issue of licence

89. When the bottling warehouse and plant therein have been completed, the Director-General, on receipt of the prescribed fee, shall issue a licence, in such form as he may think fit, to the applicant to bottle, blend, compound or vary intoxicating liquors in accordance with section 66 of the Act.

Notice of blending to be given

90. No licensee shall bottle, blend, compound or vary the alcoholic strength of any intoxicating liquors, except in accordance with the terms of a notice, delivered to a proper officer of customs not less than 48 hours before the commencement of the bottling, blending, compounding or variation, and specifying —

- (a) the nature, quantity and identification marks, if any, of the liquors to be bottled, blended, compounded or varied;
- (b) the place where the liquors are stored; and
- (c) the time at which it is desired to commence the bottling, blending, compounding or variation.

91. Deleted by S 444/2002, wef 01/10/2002

Bottling of contents of container not to be stopped

92. When the bottling, blending, compounding or variation of the contents of any container has once commenced, it shall not be discontinued between the hours of 8 a.m. and 4.30 p.m. until the whole is bottled, blended, compounded or varied, as the case may be.

Empty bottles not to be removed without permission

93. All empty bottles which are intended for use for bottling together with corks, capsules and other material and implements for bottling shall —

- (a) be kept in the bottling warehouse or at such other place approved in writing by the Director-General; and
- (b) not be removed from that place without the permission of the proper officer of customs.

Containers to be kept in bottling warehouse until empty

94. When it is intended to bottle intoxicating liquor, the container from which the liquor is to be drawn off shall be taken into the bottling warehouse and shall not be removed from the warehouse until the container is empty.

Conditions of bottling

95. Except with the approval of the proper officer of customs —

- (a) no filled bottle or portion of the blended, compounded or varied intoxicating liquors shall be removed from the bottling warehouse until the entire container from which it was drawn has been drawn off or the blending, compounding or variation has been completed;
- (b) no filled bottle or other container shall be removed until it has been closed, sealed and labelled to the satisfaction of the proper officer of customs; and

(c) in the case of dutiable liquors, all filled bottles shall be placed in cases secured to the satisfaction of the proper officer of customs.

PART XII

LICENSED TOBACCO FACTORIES

Licensee to keep stock book

96. Every person licensed to manufacture tobacco shall —

(a) keep a stock book, in a form approved by the Director-General, in which shall be entered daily in English —

(i) the weight in kilogrammes, the number of the relative removal declaration or other document authorising removal, description and country of origin of all tobacco brought into any storehouse made use of by him for the storage of tobacco or into the licensed premises; and

(ii) the quantity and description of the product resulting from manufacture and the manner of disposal thereof;

(b) produce for the inspection of any senior officer of customs his stock book, books of account, invoices and other documents kept by him in connection with the manufacture of tobacco, and allow that officer to make such minute therein, or to take such abstract therefrom, as he thinks fit;

(c) permit any senior officer of customs to inspect all labels, wrappers or containers used or attached, or intended to be used or attached, in connection with manufactured tobacco, manufactured by such licensee; and

(d) on demand show to any senior officer of customs any tobacco in his custody or possession.

Restriction on receiving tobacco into licensed premises

97. No licensed tobacco manufacturer shall, without the permission in writing of a proper officer of customs, receive into his licensed premises or into his custody or possession any tobacco of any description otherwise than from a Government warehouse, licensed factory warehouse or licensed warehouse.

Restrictions on removal of tobacco

98. No licensed tobacco manufacturer shall, without the permission in writing of a proper officer of customs, allow any manufactured or unmanufactured tobacco of any description, except tobacco manufactured in his factory, to be removed from his licensed premises or from his custody or possession.

Adulteration of tobacco forbidden

99. —(1) No licensed tobacco manufacturer shall receive, take into or have in his custody or possession in his licensed premises, or in any storehouse made use of by him for the storage of tobacco, any substance, matter or thing to be used or capable of being used as a substitute for, or to increase the weight of, tobacco.

(2) It shall not be an offence under this regulation for a licensed tobacco manufacturer to receive, take into or have in his custody or possession in his licensed premises or in any storehouse made use of by him for the storage of tobacco, any substance, matter or thing

which is normally and properly, according to the ordinary usage of the trade, added to tobacco as part of the process of manufacture for the purpose of colouring, flavouring or wrapping such tobacco and not with the intention of increasing its weight.

Possession of materials for adulteration of tobacco forbidden

100. —(1) No person shall, without the written permission of the Director-General —

(a) cut, grind, pound, stain, dye or manufacture any matter or material to imitate or resemble tobacco or prepare any such matter or material to be mixed with or to be added to tobacco;

(b) have in his custody or possession any matter or material, cut, ground, pounded, coloured, stained, dyed or manufactured to imitate or resemble tobacco or prepare any such matter or material for the purpose of being mixed with or added to tobacco or intended to be so cut, ground, pounded, coloured, stained, dyed or manufactured or prepared; or

(c) sell, dispose of or deliver to any tobacco manufacturer any matter or material or any preparation or mixture thereof to be used in the manufacture of tobacco or to be added to or mixed therewith.

(2) It shall not be an offence under this regulation for a licensed tobacco manufacturer to receive, take into or have in his custody or possession any substance, matter or thing which is normally and properly, according to the ordinary usage of the trade, added to tobacco as part of the process of manufacture for the purpose of colouring, flavouring or wrapping such tobacco and not with the intention of increasing its weight.

Packing of products

101. No manufactured tobacco shall be removed from the licensed premises except in closed boxes or packages.

Labels to be approved by Director-General

102. All labels, wrappers or containers used in connection with or attached to or intended to be used in connection with or attached to any tobacco manufactured in premises licensed under section 63 of the Act shall —

(a) be in the forms approved by the Director-General; and

(b) include an accurate description, written in English, of the contents.

Markings

103. The Director-General may require cigarettes manufactured in Singapore and packs thereof to be marked with the words “Made in Singapore” or in such other manner as the Director-General may approve before such cigarettes are released for sale for consumption in Singapore.

PART XIII

CLAIMS TO DRAWBACK ON TOBACCO

Notice of packing to be given

104. Any licensed manufacturer of tobacco wishing to claim drawback in accordance with section 78 of the Act shall —

- (a) give a senior officer of customs at least 24 hours notice of his intention to manufacture or pack tobacco for export;
- (b) produce the cases to be exported to a senior officer of customs and allow that officer to open the cases and any sealed containers therein and to examine, weigh and take samples of the tobacco packed therein; and
- (c) provide proper scales and weights to enable that officer to check the weights of the tobacco and furnish such proof as the Director-General may, from time to time require of the accuracy of such scales and weights.

Cases to be sealed

105. —(1) No case containing tobacco for export shall be removed from the licensed premises until it has been sealed by a senior officer of customs.

(2) Every case which has been so sealed shall be exported from Singapore with the seals intact.

Restrictions on export

106. The Director-General may —

- (a) refuse to allow tobacco in respect of which claims to drawback may be made to be exported by sea in a local craft; or
- (b) impose such conditions as he may consider necessary on the export of such tobacco.

Proof of landing may be required

107. —(1) The Director-General may, before granting drawback, require the manufacturer to produce such proof as to him seems proper that the consignment has been landed at the place of destination with the seals placed on the cases in accordance with regulation 105 intact.

(2) In default of such proof, no drawback shall be allowed.

Claims to be submitted monthly

108. Claims for drawback shall be —

- (a) made once a month in respect of tobacco exported during the month immediately preceding; and
- (b) signed by the licensee who shall produce the relative duty receipts for endorsement by the proper officer of customs.

Assessment of weight for drawback

109. For the purposes of regulation 104, the weight of the tobacco shall be the net weight of the tobacco contained in cigars or cigarettes and shall not include paper, cork tips, filters or other component parts of cigarettes, nor shall it include tin-foil or paper wrappings, bands detachable or otherwise, used in the packings of cigars, cigarettes or other tobacco but shall include the weight of such tobacco waste as may be allowed by the Director-General.

Decision of Director-General final

110. In the event of any dispute arising as to whether duty has been paid or as to the weight of tobacco on which drawback is payable or as to whether any ingredient has been added contrary to regulation 100, the decision of the Director-General shall be final.

PART XIV

CLAIMS TO DRAWBACK UNDER SECTION 81 OF ACT

Application to claim drawback under section 81 of Act

111. Any manufacturer wishing to claim drawback in accordance with section 81 of the Act shall make an application in writing to the Director-General specifying —

- (a) the name, identity card number and address of the applicant;
- (b) the style under which he trades;
- (c) the number of the certificate of registration;
- (d) the location of the factory;
- (e) the nature of the goods to be manufactured, the output proposed, whether the finished product is for export or local consumption, and, if both, the respective amounts;
- (f) the class and quantity of duty-paid raw materials, ingredients or components to be used in such manufacture;
- (g) the estimated annual duty which will be paid on the raw materials, ingredients or components needed for the manufacture for export; and
- (h) the proposed hours of operation of the factory, and shall furnish —
 - (i) a detailed plan of the layout and construction of the factory; and
 - (ii) an outline of the manufacturing process, including a chart indicating the movement of duty-paid raw materials, ingredients or components through the various stages until the manufacture is complete.

Security of building and accommodation

112. The Director-General may require that provision be made for the following:

- (a) separate storage space for the duty-paid raw materials, ingredients or components, finished products and waste products of the factory;
- (b) separate factory space to be used solely for export manufacture and not for any other purpose;
- (c) facilities for sealing plants or bonded stores as required under regulation 117;
- (d) accommodation in the form of married quarters free of cost for such number of officers of customs as the Director-General may require to be stationed on the premises;
- (e) a separate office for officers of customs; and
- (f) any other requirement considered necessary by the Director-General.

Security may be required

113. The Director-General upon being satisfied that adequate provisions for the safeguarding of the revenue have been made, may approve the application and require the applicant to furnish security for the purpose of complying with the provisions relating to drawback.

Director-General may order safeguards

114. The Director-General may at any time in writing direct the manufacturer to provide any additional means for identifying the raw materials, ingredients or components used in the manufacture, and the finished products.

Alteration to premises or plants

115. No structural alteration or installation of any plant or machinery to be used for the purpose of manufacture may be made without the written authority of the Director-General having first been obtained.

Unless permission obtained, only watchman may dwell on premises

116. Except with the permission of the Director-General, no person other than a watchman may dwell on the factory premises.

Proper officer of customs may place locks

117. —(1) The proper officer of customs may place such locks, seals or other safeguards as he considers necessary to secure any part of the premises or portion of the plant therein.

(2) Such safeguards shall be provided at the expense of the manufacturer.

(3) No locks, seals or other safeguards placed in accordance with paragraph (1) shall be tampered with, opened, broken, altered or removed without the consent of the proper officer of customs.

Books of account to be kept in factory

118. —(1) The manufacturer shall maintain —

(a) a stock book for recording the quantity, description and country of origin of all duty-paid goods (including raw materials and components of manufacture) received into the factory and the number of the relative duty-payment permit or other document authorising removal;

(b) a register in which shall be entered the quantity and description of all duty-paid goods used for the purpose of manufacture, the quantity and description of the goods including by-products resulting from manufacture, the manner of disposal thereof, and, if applicable, the number of the permit or authorisation under which the goods were removed; and

(c) a waste stock book recording waste, spillage, loss by accident or any other cause.

(2) All such books and register shall be in the form approved by the Director-General and shall be entered daily and balanced at the close of business on the last day of each month.

(3) The manufacturer shall —

(a) at all times keep at the factory the stock books, register and waste stock book, books of account, invoices and other documents connected with his manufacturing operations;

(b) produce on demand at any time for the inspection of the proper officer of customs the said books and documents, and allow that officer to make such abstracts therefrom as he may think fit;

(c) allow at any time the proper officer of customs to examine, inspect, weigh or check the stocks of duty-paid goods and of manufactured or semi-manufactured goods held on the premises and, for this purpose that officer may require to see every package and the contents thereof and also to draw samples of of such goods for purpose of analysis; and

(d) permit the proper officer of customs to inspect all labels, wrappers or containers used or attached, or intended to be used or attached, in connection with the goods manufactured by him.

Submission of monthly return

119. If the Director-General so requires, the manufacturer shall submit not later than the tenth day of each month a return in such form as the Director-General may require, showing —

(a) details of all duty-paid goods received into the factory for the purpose of manufacture during the preceding month;

(b) details of the quantity and description of all duty-paid goods used for the purpose of manufacture, the quantity and description of the goods resulting from manufacture and the manner of disposal thereof, in respect of the preceding month; and

(c) details of the balances of all duty-paid goods and of the manufactured or semi-manufactured goods stored in his factory as at the close of business on the last day of the previous month.

Stacking of packages

120. The proper officer of customs may require that all packages of duty-paid goods and manufactured goods shall be stacked in such manner that every package may be accounted for and readily inspected.

Lots or stacks to be labelled

121. —(1) The proper officer of customs may require a manufacturer to affix to every lot or stack of duty-paid goods or of the manufactured goods stored in the premises a stock-card or other label in such form as he may specify.

(2) Such stock-card or label shall show the quantity and description of the contents of the lot or stack.

Notice of manufacture and packing to be given

122. If the Director-General considers it necessary, the manufacturer shall —

(a) give the proper officer of customs at least 24 hours notice of his intention to manufacture, pack or remove goods for export;

(b) in the presence of the proper officer of customs and under his supervision, manufacture or pack the finished products in cases or other containers;

(c) produce the finished products to the proper officer of customs for him to examine, mark, weigh and take samples thereof;

(d) permit the proper officer of customs to lock up, seal, mark or otherwise secure the finished products;

(e) in the case of packed finished products, produce the cases intended for export to the proper officer of customs and permit that officer to open the cases and any sealed containers therein and to examine, weigh and take samples of the goods packed therein; and

(f) provide proper scales and weights to enable the officer aforesaid to check the weights of the goods and furnish such proof as the Director-General may, from time to time, require of the accuracy of such scales and weights.

Packages to be sealed

123. —(1) If the Director-General so requires, no packages containing finished products shall be removed from the factory for export under drawback arrangements until the packages have been locked up, sealed, marked “For export under drawback” or marked by other approved legend, by the proper officer of customs.

(2) Every such package shall be exported from Singapore with the locks, seals, marks and other safeguards intact.

Seals, etc., not to be tampered

124. No lock, seal or mark placed by the proper officer of customs on packages containing manufactured goods shall be tampered with, opened, broken, altered or removed without his consent.

Declaration to be submitted for approval

125. —(1) A manufacturer desirous of removing any finished product for export under drawback arrangements shall submit to the proper officer of customs a declaration in such form as the Director-General may require of the goods to be removed.

(2) The proper officer of customs shall thereupon authorise the removal of the goods provided that the proper officer of customs may impose such conditions as he may consider necessary for the safeguarding of the revenue.

Particulars required as declaration

126. —(1) The declaration referred to in regulation 125 (1) shall contain full and true particulars for which provision is made in the required form.

(2) The manufacturer shall clearly state in the declaration that the goods are to be exported under drawback arrangements and that the goods and other packages have been marked “For export under drawback” or marked by an approved legend.

(3) Every such declaration shall be in quadruplicate or in such other number of copies as the Director-General may require.

(4) If the Director-General so requires, authorisation of removal shall be produced to the proper officer of customs at the factory before the manufactured goods are removed for export under drawback arrangements.

Restrictions on export

127. The Director-General may —

(a) refuse to allow the finished products in respect of which claims to drawback may be made to be exported by sea in a local craft; or

(b) impose such conditions as he may consider necessary on the export of such goods.

Proof of landing may be required

128. The Director-General may, before granting drawback, require the manufacturer to produce such evidence, as to him seems necessary, including evidence that the consignment has been landed at the place of destination with the locks, seals, marks and other safeguards intact.

Hours of manufacture, packing and removal for export under drawback

129. Except with the permission of the proper officer of customs, no goods shall be manufactured, packed or removed for export under drawback earlier than 8 a.m. on any working day or later than 4.30 p.m. on weekdays and 12.30 p.m. on Saturdays.

All operations to be performed by manufacturer and at his expense

130. All necessary operations relating to the loading, shipping, unloading, unshipping, carrying, weighing, measuring, testing, opening, unpacking, repacking, bulking, sorting and marking of finished products for export under drawback arrangements whether in the factory or at any other place, shall be performed by and at the expense of the manufacturer.

Goods not to be returned to factory without permission

131. Finished products removed for export under drawback arrangements shall not be returned to the factory without the written permission of the proper officer of customs having first been obtained.

Powers of inspection

132. Any senior officer of customs shall have access at all times to the factory for inspection of the locks, seals, marks or other safeguards placed thereon.

Claims to be submitted monthly

133. Claims for drawback shall —

(a) be made once a month in such form as may be required by the Director-General, in respect of finished products exported under drawback arrangements during the month immediately preceding; and

(b) be submitted together with the relative duty-payment permits, customs outward declarations, such evidence of export as the Director-General may require, and a declaration made by the person entitled to drawback that the conditions subject to which drawback is payable have been fulfilled.

Assessment of drawback

134. The Director-General shall, in his discretion, determine the method of assessment of drawback payable.

Claims for drawback may be refused unless provisions of law are complied with

135. The Director-General may refuse payment of drawback claims if the provisions of section 81 of the Act and these Regulations have not been complied with.

Decision of Director-General final

136. In the event of any dispute arising as to whether duty has been paid or as to the method of computing drawback payable or as to whether there has been any substitution of duty-paid goods, the decision of the Director-General shall be final.

PART XV

ASSESSMENT OF DUTY

Basis of assessment of duty

137. —(1) Subject to paragraphs (2) to (5), the duty to be charged on each bottle of intoxicating liquor removed for local consumption shall be assessed based on the following particulars as stated in a declaration made to the Director-General under section 37 or 59 of the Act (referred to in this regulation as a declaration):

- (a) the H.S. Code of the bottle of intoxicating liquor under the First Schedule to the Customs (Duties) Order (O 4) or the class of the intoxicating liquor;
- (b) the volumetric content of the bottle of intoxicating liquor; and
- (c) the alcoholic strength of the bottle of intoxicating liquor.

(2) Where a declaration in respect of one or more bottles of intoxicating liquor is based on the information stated in a certificate of analysis, the Director-General may require the person who makes the declaration to submit the certificate of analysis to him.

(3) The Director-General may, where he considers it necessary to verify any or all of the particulars referred to in paragraph (1) as stated in a declaration, require the bottle or bottles of intoxicating liquor in respect of which the declaration is made to be tested or measured (as the case may be) by such laboratory as the Director-General may decide, to determine the H.S. Code, volumetric content or alcoholic strength of the bottle or bottles of intoxicating liquor, as the case may be.

(4) Where a declaration is made in respect of a consignment of intoxicating liquor, the Director-General may, for the purpose of charging duty —

- (a) require that only 1% or less of the total number of bottles of intoxicating liquor in the consignment be tested or measured under paragraph (3) in lieu of testing or measuring all the bottles of intoxicating liquor in the consignment; and

(b) apply the H.S. Code, average volumetric content or average alcoholic strength of the liquor in the bottles so tested or measured to other similar bottles of intoxicating liquor of the same brand in the consignment.

(5) Where there is any discrepancy between the particulars referred to in paragraph (1) as stated in a declaration in respect of any bottle or bottles of intoxicating liquor and the H.S. Code, volumetric content or alcoholic strength of the liquor in the bottle or bottles as determined by the Director-General under paragraph (3), the duty to be charged on the bottle or bottles of intoxicating liquor shall be assessed based on the H.S. Code, volumetric content or alcoholic strength so determined.

(6) In this regulation, “certificate of analysis”, in relation to any bottle of intoxicating liquor in respect of which a declaration is made, means a certificate issued by a laboratory from the country of export stating —

(a) the class of the intoxicating liquor;

(b) the volumetric content of the bottle of intoxicating liquor; and

(c) the alcoholic strength of the intoxicating liquor as determined by the laboratory in a manner equivalent to that described in regulation 138.

Determination of alcoholic strength

138. —(1) Where the Director-General requires any bottle of intoxicating liquor to be tested under regulation 137 (3) to determine the alcoholic strength of the intoxicating liquor under the International Organisation of Legal Metrology (OIML) System, the test shall be carried out by any of the following means:

(a) by using the “e” inscribed glass alcohol hydrometer defined in Council Directive 76/765/EEC of the European Economic Community and the Practical Alcohol Tables, Volume 2 issued by the Commission of the European Communities in 1978 in Luxembourg; or

(b) by means of a specific gravity bottle.

(2) For the purpose of determining the alcoholic strength of any bottle of intoxicating liquor under paragraph (1), a distilled sample of the liquor shall be used.

139. Deleted by S 87/2004, wef 01/04/2004.

139A. Deleted by S 87/2004, wef 01/04/2004.

139B. Deleted by S 87/2004, wef 01/04/2004.

Cigarettes

140. Duty shall be charged on the net weight of cigarettes including paper, cork tips, filters or any other component part of the cigarettes themselves.

Beedies

141. Duty shall be charged on the net weight of beedies including all component parts of the beedies themselves.

Cigars

142. Duty shall be charged on the net weight of cigars excluding tin-foils, paper wrapping and detachable bands, but not excluding bands attached to the outer wrapping leaf by gum or any other adhesive substance.

PART XVI

FEES

Fees for licences

143. —(1) Subject to this regulation, there shall be paid the fees specified in the Second Schedule for licences issued under sections 50, 51, 63, 66 and 82 of the Act.

(2) No fee shall be levied for a licence issued in respect of warehouses maintained by the Commonwealth Armed Forces and approved by the Director-General for the storage of dutiable goods.

(3) The holder of a licence issued under section 66 of the Act shall be exempted from the payment of the fee for that licence if he holds a licence issued under section 50 or 51 of the Act.

(4) The holder of a licence issued under section 51 of the Act may apply to the Director-General during the period of his licence to vary the size of the area of the place specified in his licence for warehousing goods.

(5) The holder referred to in paragraph (4) shall, if the area is increased, pay a fee or, if the area is decreased, be entitled to a refund, of an amount that is the difference between —

(a) the fee that is payable under the Second Schedule for the issue of a licence in respect of the total area for warehousing goods after the variation under paragraph (4); and

(b) the fee that has been paid for the issue or renewal of the current licence (as the case may be),

pro-rated according to the proportion which the remaining period of his licence (rounded to the nearest month) bears to the total period of his licence.

Period for which licences shall be issued

144. —(1) Licences under sections 50, 51, 63, 66 and 82 of the Act shall be issued for the period 1st January to 31st December in each year or for such other period as the Director-General may approve.

(2) Licences approved during any year shall be issued to cover the period from the date of issue or from a date, at the discretion of the Director-General, to the end of any quarter of a year or such other date as may be appropriate, and in such cases, the fee shall be calculated at a monthly rate of the fee prescribed in regulation 143 for each month or part of a month for which the licence is valid.

(3) Any increase in the licence fee which may be prescribed during any year under regulation 143 after the issue of any licence shall be paid at a monthly rate of the fee in respect of each month or part of a month for the remainder of the period for which the licence is valid.

Attendance fees

145. Fees shall be charged for the bottling, blending, compounding, varying or denaturing of intoxicating liquors in a Government or licensed warehouse at such rate as may be determined by the Director-General under section 98 of the Act for the attendance of any proper officer of customs when the operation is in progress.

PART XVII

MISCELLANEOUS

Composition of offences

*146. [*Deleted*]

* Regulation 146 relating to the composition of offences has been transferred to the Customs (Composition of Offences) (Consolidation) Regulations (Rg 10).

Disposal of forfeitures

147. —(1) All forfeitures under the Act and goods detained by or deposited with the Customs and Excise Department and left unclaimed by their owners for a period of one month shall, at the discretion of the Director-General —

(a) be offered for sale by public auction and the net proceeds of the sale credited to revenue; or

(b) where the Director-General considers it inadvisable for any reason to offer such forfeitures or goods for sale by public auction, be disposed of in such manner as he may, in his discretion, direct.

(2) Where the goods in paragraph (1) had been left unclaimed by their owners for a period of less than one month and their owners had given the Director-General notice in writing that they are not claiming them, the Director-General may dispose of the goods in the manner described in paragraph (1).

Penalties

148. Any person who contravenes or fails to comply with the provisions of any of these Regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

FIRST SCHEDULE

<i>Goods</i>	<i>Charges</i>	Regulation 7
1. Intoxicating liquors	60 cents per decalitre or part thereof	
2. Cigars, cigarettes and beedies	15 cents per mille or part thereof	
3. Other manufactured tobacco in containers of any kind for retail sale to the public	15 cents per kilogramme net weight of tobacco or part thereof	
4. (a) Petroleum having a flash-point below 23°C	22 cents per decalitre or part thereof	
(b) Other types of petroleum	11 cents per decalitre or part thereof	
5. All other goods	\$60 per tonne gross weight pro-rata	

subject to a minimum charge of \$3 for each consignment.

SECOND SCHEDULE

Regulation 143 (1)

FEES

<i>Type of Licence</i>	<i>Fee Payable</i>
1.—(1) Licence to warehouse —	
(a) intoxicating liquors and tobacco; or	
(b) all other dutiable goods except petroleum,	
where the projected potential duty (in the case of an application for the issue of a licence) or the average past monthly duty (in the case of an application for renewal of a licence) is —	
(i) \$1 million or less	\$2,500 for one year
(ii) more than \$1 million but less than \$10 million	\$4,000 for one year
(iii) \$10 million or more	\$21,000 for one year
(2) In sub-paragraph (1) —	
“projected potential duty” means the total customs and excise duties of the projected maximum quantity of goods that can be warehoused at any one time in the area of the place concerned;	
“past average monthly duty” means the average of the total customs and excise duties of all goods warehoused in the area of the place concerned on the 1st day of each month during the period of 12 months (or, if the area has been used to warehouse goods for a shorter period, that shorter period) before the date of the application.	
2. Licence —	
(a) to ferment or manufacture ale, beer, stout or porter —	
(i) for personal use (being home-brewing of beer as defined in regulation 63)	\$10 for 2 years
(ii) for any other purposes	\$43,200 for one year
(b) to distill, ferment or manufacture any other intoxicating liquors	\$28,000 for one year

3.—(1) Licence to manufacture tobacco	\$120,000 for one year
(2) Licence to manufacture tobacco other than cigarettes	\$1,800 for one year
(3) An additional fee shall be payable if a licence to manufacture tobacco contains a condition that duty drawback may be claimed	\$20,000 for one year
4. Licence to bottle, blend, compound or vary intoxicating liquors in accordance with section 66 of the Act	\$7,600 for one year
5. Licence to refine and treat petroleum	\$75,000 for one year
6. Licence to warehouse, mix, blend or otherwise vary petroleum	\$40,000 for one year
7. Licence to manufacture any other dutiable goods where the goods manufactured are subject to payment of excise duty	\$30,000 for one year
8. Licence to operate a duty-free shop for tourists	\$70,000 for one year
9. Licence to operate a factory warehouse	\$10,000 for one year.

This document is available for use subject to the terms of the DISCLAIMER set out in the Cover Page.