TERMS AND CONDITIONS FOR DECLARANTS UNDER PART IVA OF THE REGULATION OF IMPORTS AND EXPORTS REGULATIONS AND PART XIVA OF THE CUSTOMS REGULATIONS

DEFINITION

The following words and expressions shall have meanings hereby assigned to them except where the context otherwise requires:

1.	"CCP"	means the Cargo Clearance Permit. The CCP shall be in the format approved by Singapore Customs containing the full particulars therein and the condition(s) as may be imposed by the Singapore Customs for the clearance of cargo declared under the Customs Act (Cap 70) and the Regulation of Imports and Exports Act (Cap 272A) and/or any regulations made thereunder;
2.	"Declaration"	refers to any declaration required to be made to Singapore Customs required under the Customs Act (Cap 70) and/or the Regulation of Imports and Exports Act (Cap 272A) and any regulations made thereunder;
3.	"Declarant"	means an individual who is authorised by a declaring agent to do any act or thing for the purposes of the Customs Act (Cap 70), Regulation of Imports and Exports Act (Cap 272A) and/or any regulations made thereunder on behalf of the declaring agent (including where the declaring entity is concurrently registered as that declaring agent);
4.	"Declaring Agent"	means an entity making (through a declarant) an application under the Customs Act (Cap 70), Regulation of Imports and Exports Act (Cap 272A) and/or any regulations made thereunder to the Director-General for a permit, certificate or any other document or form of approval on behalf of a declaring entity (including where the declaring entity is concurrently registered as that declaring agent);

5.	"Key Personnel"	means an individual whose particulars are registered with — (a) the Accounting and Corporate Regulatory Authority for the purposes of a registration of a business entity; or (b) the relevant Issuance Agency of the Unique Entity Number for the purposes of an application for a unique entity number.
6.	"Singapore Customs"	means Singapore Customs, an agency of the Ministry of Finance, Government of the Republic of Singapore;
7.	"TradeNet®"	means the network platform provided by Singapore Customs for the purposes of applications for CCP and other related services;
8.	"UEN"	means the Unique Entity Number, which forms the standard identification number of an entity. For business entities, UEN is generally issued by Accounting and Corporate Regulatory Authority (ACRA). For non-business entities, UEN is issued by other relevant Issuance Agencies of the UEN;

TERMS AND CONDITIONS

The application for registration of an individual as well as the continued registration of an individual with the Director-General of Customs ("**Director-General**") under Part IVA of the Regulation of Imports and Exports Regulations ("**RIER**") and Part XIVA of the Customs Regulations ("**CR**") as Declarant is subject to the following conditions imposed by the Director-General under Regulation 35F of the RIER and Regulation 112F of the CR respectively:

A   Application for Registration

1   Registration of Individual as Declarant

1.1 Any person desiring to be registered as a Declarant must make its application for registration through (i) a person who is a Key Personnel of the Declaring Agent and on whose behalf, the person is authorized to act, or (ii) a person authorised by the Key Personnel of the Declaring Agent to make the application for registration.

1.2 The person seeking registration as the Declarant must meet the "fit and proper" criteria set out in Regulation 35D of the RIER and Regulation 112D of the CR. At the time of application for registration, the Key Personnel or person authorised by the Key Personnel of the Declaring Agent or the person seeking registration as the Declarant, may be required by Singapore Customs to furnish such information and documents to show that the person is a "fit and proper" person. In particular, the person seeking registration as the Declarant may at the point of registration as a Declarant be requested by the Singapore Customs to provide any information/documentation such as educational records or certificate of competency, to demonstrate sufficient capability to make declarations in a responsible manner.

1.3 A Singapore-based person seeking registration as a Declarant must either be a Singaporean, Singapore permanent resident (PR) or a foreigner with a valid Singapore employment pass/work pass.

1.4 A Malaysia-based person seeking registration as the Declarant can be of any nationality so long as he holds a valid Malaysia employment pass.

1.5 The Declarant shall conduct his work with due diligence and care, and in compliance with all laws including statutory and regulatory requirements, and circulars and guidelines issued by Singapore Customs.

B   Conditions upon Registration

2   Application of Relevant Provisions of the RIER and CR

2.1 A Declarant and the registration of a Declarant shall be subject to Part IVA of the RIER and Part XIVA of the CR.

3   Fit and Proper

3.1 The Declarant must fulfil the "fit and proper" criteria set out in Regulation 35D of the RIER and Regulation 112D of the CR. Further:

(a) At any point in time after the Declarant has been registered, the Declarant may be required by Singapore Customs to furnish such information and documents to show that the Declarant is a "fit and proper" person; and

(b) If at any point in time after the Declarant has been registered, Singapore Customs is of the opinion that the Declarant has ceased to be "fit and proper" persons, Singapore Customs may immediately suspend or terminate the registration of the Declarant.

4   Registration Validity Period

4.1 The Declarant shall be registered for such a period as the Director-General may determine. A Declarant whose registration has lapsed or suspended or terminated, shall not submit any Declaration via TradeNet®.

4.2 The registration of a Declarant shall automatically lapse on the expiry date of such registration or as otherwise directed by the Director-General.

4.3 For a Singapore-based Declarant, the Declarant who is not a Singaporean citizen or Singapore permanent resident and who does not possess a valid Singapore employment/work pass shall have his registration status suspended or terminated within 7 days of the effective date of change.

4.4 For a Malaysia-based Declarant, the Declarant who does not possess a valid Malaysia employment pass shall have his registration status suspended or terminated within 7 days of the effective date of change.

4.5 The Declarant who ceases to be employed by the Declaring Agent which has submitted the Declarant's application for registration shall have his registration status terminated immediately. The onus shall be on the Declarant to inform Singapore Customs within 7 days of the effective date of change should he no longer be employed by the Declaring Agent which has submitted his registration for application.

5   Management of User ID and/or Password

5.1 During the validity of his registration, the Declarant will be issued with a User ID and password to submit Declarations through TradeNet®.

5.2 The Declarant is responsible to maintain confidentiality of the User ID or password which is being assigned to him. He shall not disclose either the User ID or password nor cause them to be disclosed to any other person. The User ID and password are personal to the Declarant and shall not be shared with others. Any Declarant found to share his User ID or password with other persons shall be deemed to have breached these terms and conditions and he shall no longer be regarded as a "fit and proper" person for the purposes of Regulation 35D of the RIER or Regulation 112D of the CR. Any such Declarant who is no longer "fit and proper" shall be liable to have his User ID and password suspended or revoked.

5.3 The Declarant shall exercise proper care to ensure the security and confidentiality of his User ID or password and prevent any unauthorised access to TradeNet®. The Declarant shall change the password if he discovers, or has reason to suspect, that another person knows the password.

6   Assistance in Investigation of Offences

6.1 The Declarant shall, at the request of Singapore Customs, provide full assistance to Singapore Customs or the relevant Singapore authorities for investigation into any offence under the Regulation of Imports and Exports Act, Customs Act and/or any regulations made thereunder. When requested by Singapore Customs, the Declarant shall furnish all necessary information and records at the specified customs office or station or other place, as may be determined by Singapore Customs.

7   Making a Declaration

7.1 The Declarant shall identify himself by using his User ID and password in every Declaration made by the Declarant for himself.

7.2 When making Declarations on behalf of a Declaring Agent, the Declarant shall ensure that any declaration made by him under the Customs Act (Cap 70) and/or the Regulation of Imports and Exports Act (Cap 272A) and any regulations made thereunder is made with the consent of, or in accordance with the terms of the authority (express or otherwise) given to him by the Declaring Agent.

7.3 The Declarant must check all the particulars and data for completeness and accuracy before transmitting them to Singapore Customs and/or the Competent Authorities or processing and approval.

7.4 The Declarant must also check the CCP for completeness, accuracy and abide by the conditions issued in the CCP, if any.

7.5 The Declarant shall ensure that there are no unauthorised additions, alterations, amendments to or cancellation of the application, Declaration, CCP or any data transmitted to Singapore Customs unless prior approval is obtained from Singapore Customs.

7.6 All Declarations to Singapore Customs shall be in such form and format as the Director-General may specify from time to time. The Declarant shall comply with all the documentation procedures for the preparation and submission of Declarations under TradeNet®.

7.7 Singapore Customs retains the full discretion as to whether or not to process the declaration.

8 Notification of Changes

8.1 The Key Personnel or person authorised by the Key Personnel of the Declaring Agent or the Declarant must inform Singapore Customs of any changes to any of the Declarant's particulars registered with the Director-General. Such changes include, but are not limited to, any change in employer, change in expiry date of the Declarant's employment/work pass and change in contact details.

8.2 Any notice of such a change, must be made electronically within 7 days of the effective date, to Singapore Customs via Singapore Customs' website.

9 Dissemination of Information

9.1 Singapore Customs reserves the right to disseminate customs procedural or process related information, where necessary, without the need to seek any prior consent or authorisation.

10 Breach of Conditions

10.1 Pursuant to Regulation 35F(3) of the RIER and Regulation 112F(3) of the CR , a Declarant who breaches any condition, including the terms and conditions imposed by the Director-General under Regulation 35F of the RIER or Regulation 112F of the CR, shall be guilty of an offence and shall, if found liable, be punished in accordance with the relevant provisions under Regulation 35H and/or 45 of the RIER or Regulation 112H and/or 117 of the CR.

11 General

11.1 Singapore Customs reserves the right to add, alter, vary and/or modify any of the above terms and conditions at any time. When the Director-General has notified, or taken reasonable steps to try to notify a Declarant of any such varied or additional term or condition, that varied or additional term or condition shall form part of these conditions. The Declarant shall be bound by that varied or additional term or condition from the time of notification of the varied or additional term or condition.

11.2 The Declarant shall be deemed to have been notified of any varied or additional term or condition so long as notice of that varied or additional term or condition is sent to the last known

mailing address, email address or fax number of the Declarant which was provided to Singapore Customs pursuant to clause 8 above.