

Customs (Use of Computer) (Amendment) Regulations 2010

GN No. 160 of 2010

THE CUSTOMS ACT

Regulations made by the Minister under section 163 of the Customs Act

1. These regulations may be cited as the **Customs (Use of Computer) (Amendment) Regulations 2010**.

2. In these regulations -

"principal regulations" means the Customs (Use of Computer) Regulations 1997.

3. Regulation 2 of the principal regulations is amended -

(a) by deleting the definitions of "approved computer system" and "TradeNet software";

(b) in the definition of "electronic declaration", in paragraph (a), by deleting the words "in such manner as specified in regulation 7";

(c) in the definition of "TradeNet", by deleting the words "operated by an organisation approved by the Minister for processing and clearance of" and replacing them by the words "or such other electronic system operated by an organisation approved by the Minister for the secure transmission of electronic declarations,";

(d) in the definition of "TradeNet user", by deleting the words "who uses an approved computer system to effect electronic declarations to Customs through the TradeNet" and replacing them by the words "who effects electronic declarations to Customs through the TradeNet";

(e) by inserting, in the appropriate alphabetical order, the following new definition -

"cargo community system" has the same meaning as in the Customs (Cargo Community System) Regulations 2008;

4. Regulation 3 of the principal regulations is revoked and replaced by the following regulation -
 3. Every TradeNet user shall make an electronic declaration through the TradeNet and shall, for this purpose, make an application for registration with the Director-General in such manner and in such form as may be approved by the Director-General specifying -
 - (a) his full name and the address of his principal place of business;
 - (b) the full name and designation of each of the persons authorised to make electronic declaration; and
 - (c) such other particulars and information as may be required in the application form.
5. Regulation 5 of the principal regulations is revoked and replaced by the following regulation -
 5. Where, upon receipt of an application under regulation 3, the Director-General is satisfied that the applicant meets the requirements of Customs, he shall register the applicant on such terms and conditions as he may determine and give notice thereof to the applicant in writing or electronically, as appropriate.
6. Regulation 7 of the principal regulations is revoked.
7. Regulation 8 of the principal regulations is revoked and replaced by the following regulation -
 8. Where a manifest or report is required to be submitted under sections 49 and 95 of the Act and under regulations 20, 20A and 58 of the Customs Regulations 1989, the manifest or report shall be submitted electronically through the TradeNet which receives the manifest or report electronically from the cargo community system.
8. Regulation 10 of the principal regulations is amended by revoking paragraph (a).

9. Regulation 13 of the principal regulations is amended by deleting the words "computer system of a TradeNet user" and replacing them by the words "login of a TradeNet user or the login of any person acting on behalf of that TradeNet user, duly registered under regulation 5".
10. Regulation 16A of the principal regulations is revoked and replaced by the following regulation -
 - 16A. Where, in respect of a consignment of goods, an electronic declaration is made, the TradeNet user shall keep at his business premises for a period of not less than 5 years after the completion of the transaction to which it relates, a data log providing a complete historical record of data interchanged as they are sent and received.
11. Regulation 20 of the principal regulations is revoked.

Made by the Minister on 15 July 2010.
