

Customs Facilitation Measures for Wine Entering the Mainland through Hong Kong: Registration Arrangement for Hong Kong Registered Wine Exporters

To foster the development of Hong Kong as a wine trading and distribution hub in Asia, the Customs and Excise Department (C&ED) of Hong Kong and the General Administration of Customs (GAC) of the Mainland signed on 9 February 2010 the “Co-operation Agreement on Customs Facilitation Measures for Wine Entering the Mainland through Hong Kong” (hereafter referred to as the “Customs Facilitation Agreement”) to expedite customs clearance of wine imported into the Mainland through the Hong Kong Special Administrative Region (HKSAR). In accordance with the “three designations” principle, the Customs Facilitation Agreement applies to wine^(Note 1) exported by designated Hong Kong exporters operating with integrity and registered with the Trade and Industry Department of Hong Kong (“the Department”), and imported by designated Mainland importers operating with integrity and registered with the Mainland Customs through designated ports in the Mainland.

2. From now on, Hong Kong companies interested in using the above customs facilitation measures may submit application to the Department for registration as “Registered Wine Exporter”. On the Mainland side, the Customs Facilitation Agreement has already been implemented in Shenzhen on a pilot basis. Details of the facilitation measures (including the conditions for Mainland enterprises to apply for registration and for making use of the facilitation measures) are at **Annex I** and can be found on the designated website of Shenzhen Customs (<http://www2.customs.gov.cn/tabid/38959/Default.aspx>).

3. The registration arrangements under the Customs Facilitation Agreement are voluntary. Non-registered companies may continue to export wine to the Mainland in accordance with the general procedures of the Mainland Customs.

Registration Conditions

4. Companies applying for registration as “Registered Wine Exporter” should meet the following conditions:

^(Note 1) Wine refers to products classified under four-digit tariff items 22.04 and 22.05 of the Mainland’s Import Customs Tariffs.

- (i) having carried on a business registered in Hong Kong under the Business Registration Ordinance (Cap. 310) for not less than 6 months; and
- (ii) having engaged in substantive business operation in wine^(Note 2) in Hong Kong for the 6 months prior to the submission of the application. If the company has been established in Hong Kong for more than 6 months, the reference period for engagement in substantive business operation in wine may be relaxed to 12 months prior to the submission of the application.

Application Process

5. Applicants should complete the application form at **Annex II** and submit it together with the required supporting documents and proof of payment to the Department in person (address: Customers Service Centre, 2/F, Trade and Industry Department Tower, 700 Nathan Road, Mongkok, Kowloon). Where necessary, the Department may request the applicant to provide additional information and supporting documents.

6. Where appropriate, C&ED may conduct verification on individual applicants upon receipt of the duly completed application by the Department. Verification may include validation of the documents submitted as well as inspection of the relevant business and storage premises. Under normal circumstances, the Department will inform the applicants of the result of their application **within 10 clear working days** after the receipt of the duly completed application accompanied by all necessary supporting documents.

Registration Certificate and Validity Period

7. Upon verification, an applicant meeting the registration conditions will be issued with a Certificate to confirm its “Registered Wine Exporter” status. The Certificate will be valid for 2 years. The Department will promulgate a Register of all “Registered Wine Exporters” through its departmental website (http://www.tid.gov.hk/english/import_export/nontextiles/wine/index.html).

^(Note 2) Substantive business operation in wine covers import and export trade, wholesale, retail, logistics and transport, storage and other supporting operation in wine.

Obligations and Undertakings

8. A Registered Wine Exporter should undertake:
- (i) to operate in compliance with the law, not to provide any forged documents, and to take all reasonable and practicable measures in ensuring that the documents submitted to relevant officers of the HKSAR Government are accurate and correct;
 - (ii) to maintain records of transactions and import/export relating to the wine exported to the Mainland for at least 2 years, including the sales contracts, invoices and transport documents, etc.;
 - (iii) to agree, under reasonable circumstances, to provide relevant officers of the HKSAR Government with the information relating to the application and item (ii) above and to give consent that the HKSAR Government may disclose the relevant information to the Mainland Customs. Such information will only be used for purposes relating to the Customs Facilitation Agreement and the Registration Arrangement for Hong Kong Registered Wine Exporter; and
 - (iv) to permit relevant officers of the HKSAR Government, under reasonable circumstances, to enter its business and storage premises for the purpose of inspection and verification of information relating to the application and item (ii) above.
9. If a Registered Wine Exporter breaches any of the above undertakings and cannot provide reasonable explanations in writing, the Department may cancel its registration and revoke the Certificate(s) issued. The Department will also remove it from the Register and inform the Mainland Customs.

Renewal Arrangement

10. Registered Wine Exporters may apply for renewal before expiry of the validity period of the registration. Registered Wine Exporters interested in renewal should continue to meet the registration conditions and abide by the undertakings of the

registration. The Department will promulgate details of the renewal arrangement nearer the time and notify relevant Registered Wine Exporters individually.

Application Fee and Payment Procedures

11. The application fee for registration as Registered Wine Exporter is **HK\$585**. The application fee shall not be refunded irrespective of whether the application is approved or not.

12. Applicants should fill in the Fee Demand Note (**Annex III**) and pay in person at the Collection and Form Sales Office of the Department (address: Room 104, 1/F, Trade and Industry Department Tower, 700 Nathan Road, Kowloon, Hong Kong). The fee may be paid by cheque, in cash, or through the Easy Pay System (EPS) provided by the Electronic Payment Services Company (HK) Ltd. For payment by cheque, the cheques should be made payable to “The Government of the Hong Kong Special Administrative Region” and crossed. Applicants should also ensure that the cheques bear the correct amount and can be drawn upon the relevant accounts. After payment, the Collection and Form Sales Office will imprint a payment franking on Part A of the Fee Demand Note and return the franked slip to the applicants as proof of payment. Applicants may submit the proof of payment to the Department in accordance with the application procedures in paragraph 5 above.

Review

13. The HKSAR Government will continue to liaise with the Mainland authorities on customs facilitation measures for wine entering the Mainland through Hong Kong, including joint assessment with the Mainland Customs on the pilot run of the Customs Facilitation Arrangement and enhancement of relevant procedures and measures, and consultation for further extension of the facilitation measures to other pilot ports. The Department will timely review the Registration Arrangement for Hong Kong Registered Wine Exporters and the implementation details in light of the latest development of the Customs Facilitation Arrangement, and will inform the trade of any revision as soon as available.

Enquiry

14. For any questions, please contact us at:

Tel : 3403 6426

Fax : 2309 7744

E-mail : enquiry@tid.gov.hk

Service Hours: Monday and Friday (8:30 am to 12:30 pm & 1:30 pm to 5:45 pm)
Tuesday, Wednesday and Thursday (8:45 am to 12:30 pm
& 1:30 pm to 5:30 pm)

or visit the Department's website (http://www.tid.gov.hk/english/import_export/nontextiles/wine/index.html).

Trade and Industry Department

The Government of the Hong Kong Special Administrative Region

18 October 2010

Annexes

- | | |
|-----------|---|
| Annex I | Customs Facilitation Measures provided by the Mainland Customs for Wine Entering the Mainland through Hong Kong |
| Annex II | Application Form for Registration as Hong Kong Registered Wine Exporter |
| Annex III | Fee Demand Note of Application for Registration as Hong Kong Registered Wine Exporter |