

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

Notification under Article 7.3 of the
Agreement on Import Licensing Procedures

BRUNEI DARUSSALAM

The following notification, dated 4 March 1997, has been received from the Permanent Mission of Brunei Darussalam.

Customs and Excise Department of Brunei Darussalam has introduced Application Permit (A.P.) System only. This system is applicable for the importation and exportation on certain restricted items, under the provision of Section 28, Customs Enactment, 1984.

Other Agencies, such as Agriculture Department, Ministry of Industry and Prime Resources, Telecommunication Department and Religious Department have their own procedures, respectively to control the importation or exportation of restricted items.

CUSTOMS APPLICATION PERMIT SYSTEM

Outline of System

1. Customs (Prohibition and Restriction on Imports and Exports) (Amendment) order.

Purposes and Coverage of Permit

2. Customs A.P. is applicable for the importation and used/new motor cars, motorcycles, lorries, omnibus including mini buses, tractors and trailers, beef & poultry, alcohol and cigarettes, plants, live cattle and birds, machine involving an element of chance, poisons and deleterious drugs, sugar, salt, converted timber and radioactive materials.
3. The system applies to goods imported from all countries.
4. No, it has not restricted the quantity or value of imports.

The primary purpose is to safeguard health, national security and morals.

No alternative method.

It is not required.

5. Customs (Prohibition and Restriction on Imports and Exports) (Amendment) Order, 1994 & 1995 - Section 28 Customs Enactment, 1984

No, it is not subject to administrative discretion.

It is not possible to abolish the system without legislative approval.

Procedures

6. I. Products under prohibition or restriction, are published in the Brunei Gazette.

Importers are required to comply with the following formalities:-

- to fill in A.P. form
- supporting documentation is required to be attached with every application.

The overall amount is not published.

No amount is allocated for each country.

No maximum amount is allocated for each importer except on importation of beef and poultry.

Importers can contact the relevant authorities and request any exceptions.

- II. Determined on a six-monthly basis;
basically the A.P. is valid for a period of six months only.

Yes, it is necessary for importers to apply for a new A.P.

- III. A.P. is subject to a time limit of six months.

If it is not used, after six months it will become void.

Yes, upon request.

- IV. There is a time limit for submitting of applications for A.P.

- V. Minimum length of time for processing applications is three working days;
maximum length of time for processing applications is 10 working days.

- VI. There is no time limit.

- VII. An application may be processed by one or two departments.

An importer has to approach at least two administrative organs.

- VIII. If the demand for permit cannot be fully satisfied, the details of past performance may be referred, especially if the accompanying documents are insufficient.

For motor cars - maximum 2 units for a 4-year period per applicant.

New importers are required to submit the following documentation:

- business licence
- to register their company names with the Customs Department
- to register their authorised staff with the Customs Department for reference as required by section 81 of the Customs Enactment 1984.

IX. No, it is not automatically approved.

X. By the issuance of certificates e.g.

- veterinary certificate - live animals
- health certificate - beef & poultry

XI. No.

7. (a) Prior to the importation of goods.
Yes, it is possible.

(b) Yes, for special reasons.

(c) No.

(d) No, see Reply 6. VIII.

8. An application for a permit may be refused if:
- he has no business licence;
- his firm has not been registered;
- necessary supporting document is not attached with the application.

9. Eligibility of Importers to Apply for Permit

(a) Applicant should not be below 18 years of age.

(b) No.

Persons - be domiciled in Brunei
- working in Brunei and have a business licence.

Fees - There is a fee for business licence registration. Customs A.P. is free of charge.

There is no published list of authorized importers.

Documentational and Other Requirements for Application for Licence

10. Information required in applications:
 - A.P. form must be approved by the Controller of Customs;
 - to fill in Customs Import Declaration;
 - sales Invoice must be submitted together;
11. Invoices; customs import declarations.
12. Refer to 9 (b) above.
13. No advance payment is required.

Conditions of Permit

14. Six months. The validity can be extended by submitting an application letter.
15. No.
16. No, not transferable
17. (a) Refer to 6.VIII - for motor cars.
(b) Time period of not more than six months after the date of issuance.

Other Procedural Requirements

18. - Customs valuation for second motor car imported
 - Inspection by relevant authorities:

beef - inspected by Health
vehicles - land transport
pharmaceuticals - pharmacists
19. - Yes.
- Yes.
- Yes.

Formalities - Individual importer can contact his own local banker.