



13 April 2017

(17-2045)

Page: 1/4

Committee on Trade Facilitation

Original: English

**NOTIFICATION OF CATEGORY COMMITMENTS UNDER
THE AGREEMENT ON TRADE FACILITATION**

COMMUNICATION FROM TONGA

The following communication, dated 11 April 2017 is being circulated at the request of the delegation of Tonga for Members' information.

The Government of Tonga hereby makes the following notifications in accordance with Articles 15 and 16 of the Trade Facilitation Agreement (WT/L/931).

Provision	Heading/Description	Category	Indicative date for implementation (for categories B and C)	Definitive date for implementation (for categories B and C)	Assistance and Support for Capacity Building Required for Implementation (for category C)
Article 1 Publication and Availability of Information					
Article 1.1	Publication	B	1 year	To be determined	-
Article 1.2	Information Available through Internet	C	2 years	To be determined	Support to amalgamate all information into a trade portal for purpose of complying with Article 1 sub articles 2.1 and 2.3.
Article 1.3	Enquiry Points	B	2 years	To be determined	-
Article 1.4	Notification	B	1 year	To be determined	-
Article 2 Opportunity to Comment, Information before Entry into Force and Consultations					
Article 2.1	Opportunity to Comment and Information Before Entry into Force	C	3 years	To be determined	Support to establish a consultation mechanism and provide with legal basis e.g. legislation.
Article 2.2	Consultations	B	1 year	To be determined	-
Article 3 Advance Rulings					
		C	2 years	To be determined	Customs need establishment of the Legal Framework and need Capacity Building for staffs.
Article 4 Procedures for Appeal or Review					
		B	1 year	To be determined	-
Article 5 Other Measures to Enhance Impartiality, Non-Discrimination and Transparency					
Article 5.1	Notification for Enhanced Controls or Inspections	B	1 year	To be determined	-
Article 5.2	Detention	B	1 year	To be determined	-
Article 5.3	Test Procedures	C	5 years	To be determined	Customs Discussed and agreed to C as there is no procedures set in place for that requirement.
Article 6 Disciplines on Fees and Charges Imposed on or in Connection with Importation and Exportation and Penalties					
Article 6.1	General Disciplines on Fees and Charges Imposed on or in Connection with Importation and Exportation	B	6 months	To be determined	-
Article 6.2	Specific Disciplines on Fees and Charges for Customs Processing Imposed on or in Connection with Importation and Exportation	A	-	-	-
Article 6.3	Penalty Disciplines	A	-	-	-
Article 7 Release and Clearance Goods					
Article 7.1	Pre-arrival Processing	B	1 year	To be determined	-
Article 7.2	Electronic Payment	A	-	-	-
Article 7.3	Separation of Release from Final Determination of Customs Duties, Taxes, Fees and Charges	A	-	-	-

Provision	Heading/Description	Category	Indicative date for implementation (for categories B and C)	Definitive date for implementation (for categories B and C)	Assistance and Support for Capacity Building Required for Implementation (for category C)
Article 7.4	Risk Management	B	1 year	To be determined	-
Article 7.5	Post-clearance Audit	C	5 years	To be determined	Support as per Note 1 below.
Article 7.6	Establishment and Publication of Average Release Times	C	5 years	To be determined	Technical assistance to be provided to Customs to develop capacity to undertake periodic Time Release Studies (TRS).
Article 7.7	Trade Facilitation Measures for Authorized Operators	C	5 years	To be determined	Support as per Note 1 below.
Article 7.8	Expedited Shipments	B	6 months	To be determined	-
Article 7.9	Perishable Goods	B	6 months	To be determined	-
Article 8 Border Agency Cooperation					
		B	1 year	To be determined	-
Article 9 Movement of Goods Intended for Import under Customs Control					
		B	6 months	To be determined	-
Article 10 Formalities Connected with Importation, Exportation and Transit					
Article 10.1	Formalities and Documentation Requirements	C	3 years	To be determined	Support to develop policy and legislative framework.
Article 10.2	Acceptance of Copies	C	1 year	To be determined	Support to develop policy and legislative framework.
Article 10.3	Use of International Standards	C	5 years	To be determined	Support to develop policy or procedure on the examination of relevant international standards and to enable Tonga to meet the recommendation of WCO to become RKC compliant.
Article 10.4	Single Window	C	5 years	To be determined	Support to for a feasibility study to investigate viability of a Single Window system and based on results further support to implement - if viable.
Article 10.5	Pre-shipment Inspection	A	-	-	-
Article 10.6	Use of Customs Brokers	A	-	-	-
Article 10.7	Common Border Procedures and Uniform Documentation Requirements	A	-	-	-
Article 10.8	Rejected Goods	B	1 year	To be determined	-
Article 10.9	Temporary Admission of Goods and Inward and Outward Processing	B	1 year	To be determined	-
Article 11 Freedom of Transit					
		B	1 year	To be determined	-
Article 12 Customs Cooperation					
		B	1 year	To be determined	-

Note 1:

- Technical assistance will be needed to develop processes and procedures that incorporate the following in all aspects of risk management:
 - Draft a cargo clearance policy and process incorporating a risk based framework and PCA using the RKC as a guide
 - Draft terms of reference for the risk management committee
 - Draft position description for staff involved in risk management and set up a risk management unit
 - Train Customs and Quarantine staff on analysing available transaction data from CMS and identifying criteria for high risk cargo
 - Develop risk profiles using available transaction data from CMS
 - Train Customs and Quarantine staff on implementation of a risk based approach in the clearance of cargo

 - Technical assistance will be needed to develop processes and procedures that incorporate the following in all aspects of PCA:
 - Draft position description for staff involved in PCA and strengthen the PCA unit
 - Train Customs and Quarantine staff on analysing available transaction data from CMS and selecting entries/companies for desk audits and field audits
 - Train Customs and Quarantine staff on PCA
 - Draft and implement an awareness program to educate the trading community on the role of PCA and legislative requirements related to PCA
-