

Goods and Services Tax (General) (Amendment) Regulations 2003

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No. S 182

GOODS AND SERVICES TAX ACT (CHAPTER 117A)

GOODS AND SERVICES TAX (GENERAL) (AMENDMENT) REGULATIONS 2003

In exercise of the powers conferred by section 86(1) of the Goods and Services Tax Act, the Minister for Finance hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Goods and Services Tax (General) (Amendment) Regulations 2003 and shall come into operation on 1st April 2003.

New Part XIVA

2. The Goods and Services Tax (General) Regulations (Rg 1) (referred to in these Regulations as the principal Regulations) are amended by inserting, immediately after Part XIV, the following Part:

“PART XIVA

WAREHOUSING (CONTAINER FREIGHT) REGIME

Definition of this Part

103A. In this Part, “container” means a box, tank or container of standard dimensions which —

- (a) is specially constructed for the safe carriage of goods;
- (b) is of permanent character and can be used more than once;
- (c) is specially designed to facilitate carriage of goods by one or more modes of transport;
- (d) is fitted with devices which enable it to be locked and sealed;
- (e) has an internal volume of at least one cubic metre; and
- (f) has conspicuous and permanent identification marks.

Application for container freight warehouse licence

103B.—(1) The Comptroller may, on an application made to him under paragraph (2), issue a licence for any warehouse or other premises to be a container freight warehouse subject to a warehousing regime under section 37 of the Act and may, in addition to such powers and conditions as are specified in this Part, impose such further conditions (including the payment of any fees) therein as he thinks fit.

(2) Every application for a licence under paragraph (1) shall be made in such form as the Comptroller may determine which shall give a full and true account of the particulars or information for which the provision is made in the form.

Furnishing of security

103C. The Comptroller may require an applicant to give references and to furnish security for the due payment of all taxes, duties and fees for which the applicant may become liable.

Period of licence

103D.—(1) A licence issued under regulation 103B shall expire on 31st December of the year or such other date as the Comptroller may determine and the Comptroller may, in his discretion, renew the licence.

(2) The licensee may apply in writing to the Comptroller to surrender a licence issued under regulation 103B and the Comptroller may, unless he thinks it necessary for the protection of the revenue, withdraw the licence from such date as he may determine.

Security of warehouse

103E.—(1) The licensee shall ensure that a container freight warehouse shall be secured to the satisfaction of the Comptroller.

(2) The Comptroller may, at any time, in writing, direct the licensee to provide any additional means for storing the goods and securing the safety of those goods which may, in the opinion of the Comptroller, be necessary.

Use of container freight warehouse

103F.—(1) Subject to paragraph (3), a container freight warehouse may be used for the storage of goods that are —

- (a) unstuffed from a container;
- (b) to be stuffed into a container; and
- (c) in a container before unstuffing or after stuffing at the container freight warehouse, as the case may be.

(2) Notwithstanding regulation 5 of the Customs (Container) Regulations (Cap. 70, Rg 1), a container freight warehouse may, for the purpose of paragraph (1), be used for the unstuffing of a container with less than full container load.

(3) A container freight warehouse shall not be used for the storage of any goods except for such types of goods, and for such period, as may be allowed under the licence.

Manner of storage

103G.—(1) Any authorised officer may require that all goods entering or being stored at a container freight warehouse be marked with such identification marks and in such manner as he may direct.

(2) The authorised officer may direct that the goods be stacked and accounted for in such manner as he may direct and stored in such manner that all goods may be accounted for and inspected.