

TSW Lodgements: current state, future state and changes

General requirements:

- All messages must be provided electronically
- Consider any future proofing that may be required
- Amendments to lodgements are exempt from cost recovery
- All lodgement messages will be mandatory 18 months after go live, but existing messages/processes will be available before then

Current Reporting Requirements (Customs and Excise Act 1996, Biosecurity Act 1993)	Future Reporting Requirements (from JBMS information)	Policy changes
	Craft Movement Schedule “lodgement” – not in Tranche 1	
Advance Notice of Animal Arrival <ul style="list-style-type: none"> - Currently manual MAF process - Submitted by importer - Legislation / regulation? - Cost recovery? 	Advance Notice of Animal Arrival <ul style="list-style-type: none"> - Will be automated by TSW – essentially treated as a registration of a person rather than an advance notice. - MAF is still working through this. 	
Advance Notice of Arrival (ANA) <ul style="list-style-type: none"> - Content: Section 21 of C&E Act – note: allows CE to <u>form and manner</u> to be approved “in writing”. This is not a formal Customs rule under s288. - Content: Regulations 12, 12A, 12B, 12C, 12D of C&E - Timing: Regulation 13 of C&E - From person in charge of craft or owner/operator or agent - Ship: not less than 48 hours before arrival - Aircraft: not less than 2 hours before arrival - Section 17 of Biosecurity Act requires notice of intended arrival (note: BioBill may have provisions putting requirements in Regs) - Section 162AE (in BioBill) has notices around entering the EEZ - Cost recovery: s287, Reg 13A - Currently emailed through 	1. Advance Notice of Arrival (ANA) <ul style="list-style-type: none"> - Will incorporate some Inward Report information <ul style="list-style-type: none"> o Crew declarations o Controlled drug/firearm list - From person in charge of craft, or owner/operator or their agent - Prime carrier will lodge ANA, and it will specify who will lodge ICRs - Customs/MAF, Maritime NZ require updates for changes only - Health requires update 12 hours before arrival – see also s102 Health Act 1956 - Ship: not less than 48 hours before arrival (in industry consultation document) - Aircraft: the API information will be used as opposed to ANA. - Aircraft: If no API an ANA will need to be submitted. - Yachts/pleasure craft will be left alone until after Tranche 1. - Cost recovery: will continue. - Interface with port companies around getting their information on who is arriving is part of Tranche 2 	<ol style="list-style-type: none"> 1. ANA replaces the Inward Report, but pleasure craft will still need to provide it during Tranche 1: future proof the leg for T2? 2. TSW expands required ANA information to include: crew declarations and controlled drug/firearm list (previously part of the inward report). 3. Aircraft who provide Advanced Passenger Information under section X of the C&E Act are exempt from providing an ANA. 4. For consistency, change form and particulars from “approved in writing by Chief Executive” to “prescribed in Customs rules” (expand s288 appropriately). 5. The opportunity will be taken to change how the ANA is placed in legislation by placing more details into the Customs Rules. 6. Consider if we need to deem whether providing the ANA electronically is providing it to the CE (perhaps part of current C&E Bill?)
Inward Report (being incorporated into ANA) <ul style="list-style-type: none"> - Section 26 of C&E Act - Timing: Regulation 14 of C&E - 2007 amendment means that documents provided with an ANA are not required in an Inward Report. - Content: Customs (Inward Report) Rules - From person in charge or owner of craft - For a ship, within 24 hours of arriving at a Customs place - For an aircraft, within 1 hour of arriving at a Customs place - Cost recovery: no - Declaration: yes 	<ul style="list-style-type: none"> - Pleasure craft may still need to do this, but otherwise not used. 	

Current Reporting Requirements (Customs and Excise Act 1996, Biosecurity Act 1993)	Future Reporting Requirements (from JBMS information)	Policy changes
Inward Cargo Report <ul style="list-style-type: none"> - ANA provides the number of ICRs that will be provided and who - Full ICR info part of inward report but provided earlier – see rules - Regulation 12B(1)(j) of C&E (Advance Notice of Arrivals) - Customs Rules – latest version found but not published - Made by craft owner, freight forwarders and others (but note: no legal requirement for freight forwarders and others to provide) - Cost recovery: yes – Reg 13A 	2. Inward Cargo Report <ul style="list-style-type: none"> - Required from: prime carrier, space-sharer, and freight forwarders (any consolidations/FAK/LCL) - Required at House Bill level - Ship: not less than 48 hours before arrival (same as ANA) - Aircraft: timing “when wheels up en route to NZ” (industry consultation) – with Paul Campbell for decision - Based on WCO3 data model, incorporating MAF BACCA data as much as possible, including option to provide entity and goods codes (supplier, importer, tariff classification, GS1 Product code or classification) - Should include “freight remaining on board” at the master bill level (JBMS looking into house bill level info – for air this is ok, but it is hard for sea) - Note: ICR can include a DTR request (transfer to a CCA) at the House Bill level – but note there is industry pushback around this for LCLs. - Cost recovery: was part of ANA, should it be separated? 	<ol style="list-style-type: none"> 1. Now a separate, stand alone message 2. Required from ships 48 hours prior to arrival and when aircraft depart their place of origin 3. Required from carriers, space sharers and freight forwarders (or agents?) 4. Additional biosecurity information captured (what is required though? Freight remaining on board also?) 5. Make ICRs more prominent in legislation: separate section rather part of regulations 6. Cost recovery: yes, ensure Reg 13A is updated 7. LCLs will be unable to move until all ICRs are provided for that consignment
Import Entry <ul style="list-style-type: none"> - Submitted by declarant using client code for importer - Several different types: standard, simplified (for \$400-\$1000), temporary, Private Importer Declaration (by CO) - Section 39 of C&E Act - Timing: Regulation 21 of C&E (other regs are 22-26) <ul style="list-style-type: none"> o For a ship, not more than 5 days before importation but within 20 days after o For a air, not more than 1 day before importation but within 20 days after - Content: Customs (Import Entry) Rules - Cost recovery: Yes, IETF Reg 24A - Customs import delivery order: <ul style="list-style-type: none"> o Section 47(1)(b) – removal of goods from CCA o Content: Customs (Import Entry) Rules o Regulation 24 – passing of entry of imported goods o Generated by CusMod upon clearance of import entry o For FCLs sent to ports and declarant automatically by CusMod 	3. Import Entry <ul style="list-style-type: none"> - WCO3-based message incorporating MAF BACCA data as much as possible. Also includes additional data for risk assessment, including: <ul style="list-style-type: none"> o Grower and packer identifiers o GS1 Product code - For sea and by air, there is no limit as to how early an entry can be made - For sea and by air, an entry must be made within 20 days after arrival (status quo) - Cost recovery: Yes - Customs import delivery order: <ul style="list-style-type: none"> o For a ship, can be made by Customs X days prior to arrival o For an airplane, can be made by Customs X hours prior to arrival - Biosecurity clearance is part of import entry - Premises must be capable of receiving TSW messages - Air: differentiate between short and long haul flights? 	<ol style="list-style-type: none"> 1. Remove of timeframe around the earliest an import entry can be made. 2. TSW separate the submission of entry from the passing of an entry and issuance of a Customs Import Delivery Order (CIDO) 3. For sea, at the earliest CIDs will be provided X days prior to arrival 4. For air, at the earliest CIDs will be provided X hours prior to arrival 5. Premises (CCA/TF) must be capable of receiving TSW response messages (e.g. CIDO) 6. Additional biosecurity information captured (what is required though?) 7. Confirm if C&E Act contemplates advance clearance
Electronic Cargo Information (ECI) for write offs <ul style="list-style-type: none"> - Provided by likes of DHL, FedEx etc, as via ICRs - For imported goods under the de minimus of \$60 revenue (duty and GST) - Content: see Customs (Import Entry) Rules - Timing: prescribed - Cost recovery: Yes (basis?) 	4. Inward Cargo Report with revenue write off request <ul style="list-style-type: none"> - Write-off of low value consignment where revenue under the de minimus will continue to be able to be requested via the ICR (ECI). - Submitter will be required to make a positive affirmation against a consignment that a write-off is requested (onus shifted to positive request from Customs system making judgement) - Submitter will be an identifiable person - Cost recovery: Yes, like ICR - For air the consolidation level ICR format 	<ol style="list-style-type: none"> 1. Submitter is required to make a positive affirmation against a consignment that a write off is requested (industry disputes) 2. Submitter will be an identifiable person 3. In absence of write offs an import entry is made
	Inward Cargo Out-turn report – not in Tranche 1	

Current Reporting Requirements (Customs and Excise Act 1996, Biosecurity Act 1993)	Future Reporting Requirements (from JBMS information)	Policy changes
Transshipments for Export <ul style="list-style-type: none"> - Enter a New Zealand port for the sole purpose of being exported to another country - Under import entry legislation - Customs (Import Entry) Rules (note: potential inadequacy around s4(a)(ii) – around not requiring a form if a place outside of NZ is specified) - Customs process: <ul style="list-style-type: none"> o export delivery order required for loading onto export craft. o If consignment tagged in ICR can be authorised electronically. o However, often a Export ECI is submitted to get delivery order. - Biosecurity process: <ul style="list-style-type: none"> o no BACC application if stay in airport or wharf for direct transferral. o Otherwise for risk goods BACC with conditions issued. o Evidence of re export required. 	5. International Transhipment Request (ITR) <ul style="list-style-type: none"> - New report, requesting movement of goods not yet released from one place to a vessel – replaces Transhipment for Export messages within ICR or via ECI - Can't load for transshipments without an ITR - Generally submitted by carriers and freight forwarders - Required at Master Bill level - Similar to new ICR, with additional details – including: <ul style="list-style-type: none"> o Codes for import and export craft o Transport mode o Place of export - Timing: required prior to cargo movement - Cost recovery: No plan but possible double dipping with the ICR. 	<ol style="list-style-type: none"> 1. New lodgement requirement for goods that are being imported for the purpose of exporting 2. To be submitted by carriers, space-sharers or freight forwarders 3. Required fields include information on goods at master bill level, codes for import and export craft and transport mode (and?) 4. Required prior to export - 5. How well does current legislation handle this, should it be a separate section? 6. Issue: require house bill level of information – air is OK, but sea? 7. Check definitions used e.g. import and export 8. Cost recovery – possible double dipping
Domestic Transhipment <ul style="list-style-type: none"> - Submitted by importer / agent / freight forwarder - Domestic transhipment, under bond movement/uncleared - Under import entry legislation (?) - Customs process: <ul style="list-style-type: none"> o No lodgement required – forms instead for movements within same area, or to place other than a CCA o Movement between CCAs in different regions are “paperless transshipments” - Biosecurity process <ul style="list-style-type: none"> o For sea FCLs, CusMod alerts on ECIs and Importer Entries trigger data transmission to Quantum o Risk seafreight has information provided by a BACCA (fax or electronic) – documentation attached o Airfreight – if moving outside airport, as above. If within, move occurs during biosecurity screening 	6. Domestic Transhipment Request (DTR) <ul style="list-style-type: none"> - Replacing “paperless transshipments” and hard copy “Permit to Remove” - Incorporates MAF BACCA as much as possible - Similar to new ICR, with additional details – including: <ul style="list-style-type: none"> o Requests an movement of goods under Customs control - Timing: required prior to cargo movement - Undertaken by carriers, space sharers (?) and freight forwarders - Required at House Bill level - Cost recovery: same as ITR - CCAs have the option of providing an electronic receipt message, but this will not be mandatory - Note: this will only be mandatory 18 months after TSW implementation - Even if goods cleared this message may be sent to borer agencies - It will be mandatory to send a DTR before you move goods 	<ol style="list-style-type: none"> 1. New lodgement requirement for goods that have not been cleared to move between CCAs/TFs (replaces movement under bond and paperless transshipments) 2. Required fields include: details on goods at house bill level and (MAF BACCA message and..?) 3. Must be made prior to movement of goods 4. Requirement begins 18 months after TSW goes live (TBC) 5. Required from carriers, space sharers and freight forwarders 6. Cost recovery – see ITR
Paperless transshipments (domestic transshipments) <ul style="list-style-type: none"> - Allows transhipment between certain CCAs – under control of CCA until receipt by next - No legislative basis (potential: section 47(1) – “pursuant to a permit or other authorisation granted by the chief executive”) - Basis is in procedure statements of specific CCAs 	(see UCMR)	
Excise entry <ul style="list-style-type: none"> - Entry to be made by the licensee of the CCA (or potentially owner of the goods) - Section 70 of the C&E Act (and all of Part 7) - Regulation 52 of C&E (and all of Part 7) - Must be made 15 working days from the end of the month in which the goods are removed from the CCA 	7. Excise entry <ul style="list-style-type: none"> - New WCO3-based message, minimal change 	<ol style="list-style-type: none"> 1. Only potentially around specific content requirements

Current Reporting Requirements (Customs and Excise Act 1996, Biosecurity Act 1993)	Future Reporting Requirements (from JBMS information)	Policy changes
Export entry <ul style="list-style-type: none"> - Submitted by declarant using client code for exporter - Section 49 of the C&E Act (also 50-53) - Timing: Regulation 28 of C&E (also 28A, 28B, 29) - Content: Customs (Export Entry) Rules - Must be made 48 hours before the goods are shipped for export – BUT CE can make exemptions in the Rules - In practice, the cut off is what the cargo terminal can process (see Customs fact sheet) - Cost recovery: yes, Reg 28A - Export delivery order sent via CusMod. Regulation 28B of C&E specifies that an entry is released when message generated. 	8. Export entry <ul style="list-style-type: none"> - New WCO3-based message - Cost recovery: will continue. - Where goods with an export entry are no longer being exported, the entry can be cancelled automatically, but Customs should also be able to automatically authorise the release of goods from Customs control (amend section 51(2)(b)) 	1. Only potentially around specific content requirements <ol style="list-style-type: none"> Where goods with an export entry are no longer being exported, the entry can be cancelled automatically, but Customs should also then be able to use an automated system to authorise the release of goods from Customs control (amend section 51(2)(b) (TBC)) Timing of export entry – current practice ultra vires? New issue: authorisation to load – do we need to regulate the loaders/stevedores?
Export write off request <ul style="list-style-type: none"> - Is where an ECI is used - Currently no requirement under regulations - Cost recovery: yes 	9. Cargo Report Export <ul style="list-style-type: none"> - New report, based on Outward Report form. WCO3-based message 	<ol style="list-style-type: none"> Introduce form and manner prescribed for goods for export for write off Carnet legislative requirements – do we need to work on this?
Outward report <ul style="list-style-type: none"> - Submitted by person in charge of craft - Sections 33 and 34 of C&E Act - Timing: Regulation 17A of C&E - Content: Customs (Outward Report) Rules - For ship, not less than 4 hours before intended time of departure - For airplane, not less than 30 minutes before intended time of departure - Cost recovery: Reg 29A but not currently used 	10. Advanced Notice of Departure (AND) <ul style="list-style-type: none"> - New report, based on Outward Report form. WCO3-based message - Will be used for reconciliation of OCRs and to generate Certificate of Clearance when anomalies resolved - Potentially submitted by person in charge of craft, <u>owner, operator or their agent</u> - Aircraft: the API information will be used as opposed to AND. If no API an AND will need to be submitted. - Timing: not less than 4 hours prior to departure (status quo) - Cost recovery: Not done now 	<ol style="list-style-type: none"> Replaces outward report requirement with AND Required from person in charge of craft, owner, operator or their agent Required at least 4 hours prior to departure Required information: TBC, but includes the number of OCRs expected Aircraft who provide Advanced Passenger Information under section X of the C&E Act are exempt from providing an ANA Cost recovery provisions a good idea, but no plans to implement?
Outward Cargo report <ul style="list-style-type: none"> - Submitted by (?) - Provided as a part of Customs rules as a “other document provided by Chief Executive” - Current provided after vessel departure, and not provided in a standardised manner - Timing: containerised cargo – 24 hours after departure, other sea cargo 48 hours after departure, aircraft cargo 2 hours after departure - Content: Comptrollers Notice Under Section 34 (Customs Rules) - Cost recovery: yes 	11. Outward Cargo Report (OCR) <ul style="list-style-type: none"> - Little change but will be based on WCO3 data model (JBMS industry consultation) - Required from carriers, space sharers and freight forwarders - Required at House Bill level - OCRs will be required for each: <ul style="list-style-type: none"> o Consolidation to ensure all consignments released o Craft to ensure all shipments have been released - Unlikely: requirement that all OCRs will be required as a condition for getting Certificate of Clearance (i.e. required prior to departure) 	<ol style="list-style-type: none"> Now a separate, stand alone message for reconciliations Required from ships X hours and aircraft X hours after departure Required from carriers, space sharers and freight forwarders (or agents?) Additional biosecurity information captured (what is required though?) Make OCRs more prominent in legislation: separate section rather part of regulations
	Outbound Cargo load report – not in tranche 1	
Certificate of Clearance <ul style="list-style-type: none"> - Issued by Customs (hard copy), required for departure - Sections 33 and 34 of C&E Act - Content: Customs (Certificates of Clearance) Rules - Timing: prior to departure - Declaration: yes 	12. Certificate of Clearance <ul style="list-style-type: none"> - Will be provided electronically (via PDF) - Unlikely: requirement that all OCRs will be required as a condition for getting Certificate of Clearance. 	<ol style="list-style-type: none"> Will now be provided electronically

TSW Registrations: current state, future state and issues

- General requirements or points to consider:
- 1. All registration requests must be made electronically – does this mean a requirement for each piece of leg around registration?
 - 2. Consider the consistency of how registration types are treated across Acts.
For example CCAs (like Immigration Controlled Areas) have no operators, whereas TFs have registered operators.

Current Registration	Future Registration	Policy changes
1. Premises: Customs place <ul style="list-style-type: none">- s9 C&E Act- Chief Executive may designate as a Customs port or airport- Cost recovery: none	While TSW registration includes Customs places, we can ignore this for our purposes.	Note: no policy changes but opportunity to align business practices with MAF between Customs places and places of first arrival.
2. Premises: Customs Controlled Area <ul style="list-style-type: none">- s10-19 C&E Act, Regs 6, 8, 9- Application by owner, occupier, person operating in area- Cost recovery: Reg 10- Form and particulars: regulations	TSW registration includes: <ul style="list-style-type: none">- CCAs- Licensed manufacturing areas (type of CCA) <p>TSW works by providing a single point to application point, and if you want to be a CCA and a TF then the extra required fields are provided to you to fill out.</p>	<ul style="list-style-type: none">1. Amend Act to shift form and particulars into Customs rules2. Remove forms from regulations, place in Customs rules3. Potentially have a registered “operator” for CCAs <p>Business practice points:</p> <ul style="list-style-type: none">o Customs having a standard license that all CCAs must meeto alignment to allow for one form for CCAs/TFs applications
3. Premises: Customs Approved Areas for Storing Exports (CASEs) <ul style="list-style-type: none">- s19A – 19H C&E Act, Regs 11A, 11B- Application by owner, occupier, person operating in area- Form and particulars: regulations- Not currently operated?	Not considered by TSW, especially given that CASEs are not in widespread (or any?) use.	<ul style="list-style-type: none">1. Amend Act to shift form and particulars into Customs rules2. Remove forms from regulations, place in Customs rules
4. Premises: Ports as places of first arrival <ul style="list-style-type: none">- s37 Biosecurity Act 1993- Director-General approves by written notice to operator of a port- Standards are on the MAF website- Cost recovery: Biosecurity (Costs) Regulations 2010 (needs confirmation)- Biosecurity Control Areas are a part of these places	TSW registration includes: <ul style="list-style-type: none">- Place of first arrival- Biosecurity Containment Area (part of place of first arrival)	Note: as with CCAs, need to consider business practices to ensure a joined up approach.
5. Premises: Transitional facilities and containment facilities <ul style="list-style-type: none">- s39 Biosecurity Act 1993 (note: Biosecurity Law Reform Bill does small tweaks: allows conditions to be set by Director General and suspensions)- Any person may apply, in an approved form, for the approval of the facility	TSW registration includes: <ul style="list-style-type: none">- Transitional facility- Containment facility- Recognised offshore facility <p>TSW works by providing a single point to application point, and if you</p>	

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