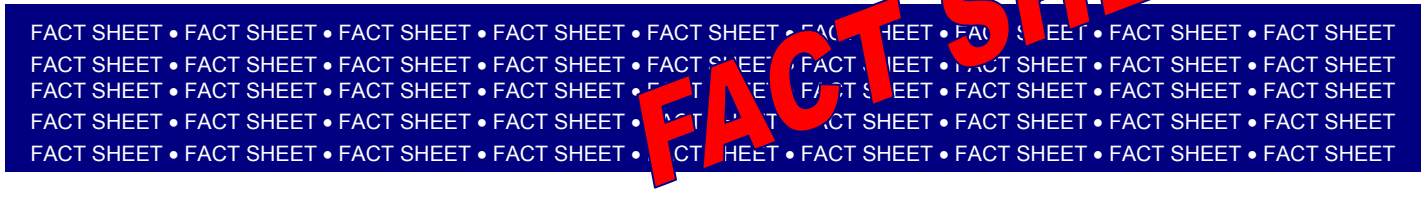




## Australian Chamber of Shipping Ltd.



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**FACT SHEET 01/92**

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### **AUSTRALIAN CUSTOMS SERVICE EXPORT CLEARANCES**

The Customs Service has issued a national Notice which effectively tightens the administration of EXIT, and foreshadows the likelihood that any cargo which is loaded before all ECNs have been cleared will be ordered off the vessel before sailing.

Importantly, this derives from the provisions of the Customs Act which provide for a \$5,000 fine to the vessel for every instance where uncleared cargo has been loaded. This compliments fines of \$5,000 to the exporter if goods have not been correctly cleared.

Until recently some lines have continued to authorise receipt of cargo which has not been fully cleared. To avoid additional cost within the terminal this cargo is then sequenced for loading, in the hope that ECN issues can be sorted out before the vessel's departure.

Shippers should be mindful of the fact that the latter approach can be technically contrary to the Customs Act, and that the exposure of any parties which adopt this approach is only reduced through the co-operation of individual Customs officers.

The only alternative is the acceptance of uncleared cargo into a separate stack within the terminal, pending the finalising of the clearance process. Such an approach attracts additional handling charges.

In view of the need for shipping companies to comply with the Customs Act, to facilitate the orderly handling of cargo, and to forestall the likelihood of increased costs being imposed on export cargo, the Chamber believes that shippers should be made aware of the following:

- there are substantial costs associated with, and delays to cargo and vessel operations resulting from, non-compliance with the Customs Act relating to ECN requirements;
- these costs are occasioned by legislation and the policies of the Customs Service and are therefore beyond the control of the shipping line;
- additional charges will be incurred in the event that ECN requirements are not complied with by shippers prior to cargo being handed over to the shipping line for shipment.

It is a matter for commercial negotiation between individual shipping lines and their customers to resolve the above issues.

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