



## CUSTOMS AUTHORITY

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# Commissioner's Administrative Instruction



Standard Operating Procedure

## “CV4 Provisional Declaration for COVID-19 Vaccines – 2021”

SOP Number \_\_\_\_\_ of \_\_\_\_/\_\_\_\_/ 2021

## 1. Standard Operating Procedure (SOP) Title

This SOP will be officially titled: ***“CV4 Provisional Declaration for COVID-19 Vaccines– 2021”***.

## 2. Scope

The provisions and associated annexes contained within this SOP are only to be utilized for the importation of novel coronavirus (2019-nCoV) related vaccines (herein referred to as “COVID-19 vaccines”). No other commodities shall be declared or processed using provisions contained within this SOP.

## 3. Authorization

This SOP is issued by the Commissioner of the Customs Authority (herein referred to as Customs), in accordance with the following provisions of the Customs Organic Law, Decree Law 2/2020:

- a) Article 9, Customs Authority Commissioner, paragraph (1c) allows the Commissioner to: *“approve the administrative rules and/or instructions necessary for the operation of the Customs Authority, including the application of Customs legislation”*.

## 4. Objectives of this SOP

The objectives of this SOP are to provide clear instructions on:

- a) Who is responsible for applying the provisions contained within this SOP;
- b) Processes that must be followed; and
- c) Minimizing opportunities for procedural abuse or malfeasance.

## 5. International Standards

Notwithstanding other standards which may apply, Customs has taken into account the following specific international standards:

- World Customs Organization Resolution of the Customs Co-operation Council on the Role of Customs in Facilitating the Cross-Border Movement of Situationally Critical Medicines and Vaccines (December 2020);

- Customs Convention on Containers, 1972, with regard to the Customs treatment of containers (including specialized containers) used for the transportation of situationally critical medicines and vaccines; and
- Annexes 9 and 17 to the International Civil Aviation Organization's (ICAO) Chicago Convention.

## **6. When this Procedure Applies**

The provisions and associated annexes contained within this SOP apply to the initial processing and clearance of all COVID-19 vaccines imported into Timor-Leste.

## **7. Procedure Owner(s)**

The owner of this procedure is the National Director Customs Compliance Management in coordination with the National Director of Operations, who are responsible for:

- a) The implementation and standardized application of all the provisions in this SOP, in all relevant Customs areas nationally and regional border posts;
- b) Ensuring that all officers have access to a written copy of this SOP;
- c) Ensuring that all officers receive appropriate training in the content of this SOP at the relevant level;
- d) Taking corrective measures in case the provisions contained within this SOP are not followed strictly as described; and
- e) Proposing to the Commissioner, any changes or amendments to this SOP when operational circumstances so demand.

## **8. Changes**

Any changes to this SOP and any associated annexes must be approved and signed by the Commissioner. Once approved, the updated SOP must be circulated to employees prior to any changes taking effect.

## **9. Enforcing this SOP**

All employees shall apply and enforce this procedure, as per the following laws:

- a) Organic Structure of the Customs Authority, Decree Law 2/ 2020;
- b) Customs Code, Decree Law 14/ 2017;
- c) Public Service Statute, Law No. 8/ 2004, Article 40 (2c); and
- d) Public Service Statute, Law No. 8/ 2004, Article 43.

## 10. Provisions of this SOP

The following provisions must be followed and complied with when importing COVID-19 vaccines into Timor-Leste using the CV4 Provisional Declaration for COVID-19 Vaccines (herein referred to as the CV4 declaration):

1. The CV4 declaration is compliant with provisions contained within Article 172 (Provisional Release) of the Customs Code, Decree Law 14/2017. A copy of this article is available at **Annex 1**.
2. When importing COVID-19 vaccines into Timor-Leste, the CV4 procedure (DAU) must be utilized in all cases. A process diagram is available at **Annex 2**.
3. Customs shall cooperate and coordinate with relevant government agencies, in particular health authorities, and supply chain stakeholders, so that facilities, security arrangements and border processes are ready prior to the arrival of COVID-19 vaccines.
4. All CV4 declarations must be processed electronically within the ASYCUDA World (AW) electronic system by a suitably approved customs broker or agent (herein referred to as the declarant).
5. All CV4 declarations must be registered within AW prior to the goods entering the territory of Timor-Leste.
6. When completing the CV4 declaration in AW the declarant must enter the following details:
  - a) Exporter name
  - b) Importer name
  - c) Broker name
  - d) Office of Entry (Airport or Seaport)
  - e) Quantity/number of Vaccines/Packages

- f) Type of Packages
  - g) Country of origin
  - h) Currency (total invoice) (zero if donation)
  - i) Gross/Net Mass
  - j) Description of Goods
7. The declarant must present a physical-copy of the registered and assessed CV4 declaration, and a copy of a supporting document which confirms details contained within this declaration. This may include an invoice, packing list, or any other relevant commercial document or shipment advice. These documents must be presented to Customs at Dili International Airport at least one (1) hour prior to when the consignment arrives into the territory of Timor-Leste.
  8. The declarant must confirm to Customs the date, time and flight information of any anticipated CV4 declarations as soon as practicable, and in advance of any consignments entering the territory of Timor-Leste.
  9. Customs shall allocate at least one (1) member of staff to assist declarants, or any other stakeholder connected with the consignment, so as to ensure there are no unnecessary delays incurred with the clearance of the goods.
  10. Customs shall undertake a visual inspection of the shipment to confirm the number of packages matches the number of packages shown on the CV4 declaration, and any associated invoice or packing list.
  11. Under no circumstances shall Customs open any COVID-19 vaccine packages or transportation containers.
  12. Customs shall ensure that inspections by other government agencies are coordinated with Customs, and undertaken at the same time as any Customs related controls. In the unlikely event that an inspection is deemed necessary, Customs shall perform a non-intrusive inspection to the extent possible.
  13. Customs reserves the right to take appropriate measures to prevent organized criminal organizations from exploiting the situation, and to address the threat posed by illegal products in the cases of dangerous, sub-standard or counterfeit medicines and vaccines.

14. Customs shall implement and apply measures, such as those contained in the Customs Convention on Containers, 1972, with regard to the Customs treatment of containers (including specialized containers) used for the transportation of situationally critical medicines and vaccines.
15. Once COVID-19 vaccines have been cleared and released by Customs, declarants will have up to 30 (thirty) business days, from the date of the CV4 declaration, to lodge a full import declaration (herein referred to as an IM4 declaration). In doing so, declarants must follow the established IM4 declaration procedure in its entirety. Failure to do so may result in Customs issuing a fine, penalty or any other relevant remedial action.
16. When lodging the IM4 declaration within AW, the declarant must include the registration number of the CV4 declaration within box number 44 of the DAU. This will ensure that the CV4 declaration is acquitted within AW.
17. No “Exit Note” will be issued when processing the IM4 declaration, as the goods will already have been released under the CV4 declaration procedure.
18. To assist relevant stakeholders, a practical check-list which provides general guidance, is available at **Annex 3**.

## 10. Commissioner’s Approval, Directives and Dissemination

By virtue of Article 9 (1c) of Decree Law 2/2020 that allows the Commissioner to: *“approve the administrative rules and/or instructions necessary for the operation of the Customs Authority, including the application of Customs legislation”*, I hereby:

- a) **Approve** this Standard Operating Procedure (SOP) titled, “CV4 Provisional Declaration for COVID-19 Vaccines – 2021;
- b) **Direct** that this SOP be communicated to all relevant CA employees, and for all CA employees to implement, apply and enforce all parts of this SOP as described; and
- c) **Direct** that this SOP shall come into effect the day after the signed date below.

Signed on the.....day of ..... 2021

.....  
**Jose Abilio**

Acting Commissioner

Customs Authority

Timor-Leste

*(official Customs seal)*

**11. Amendments Record**

SOP Approval Date	Version Number	Developer(s) Name
	v.1 (version one)	Customs Authority

**11.1 Amendments**

Date Approved by Commissioner	Version Number	Developer(s) name	Reviewer(s) name

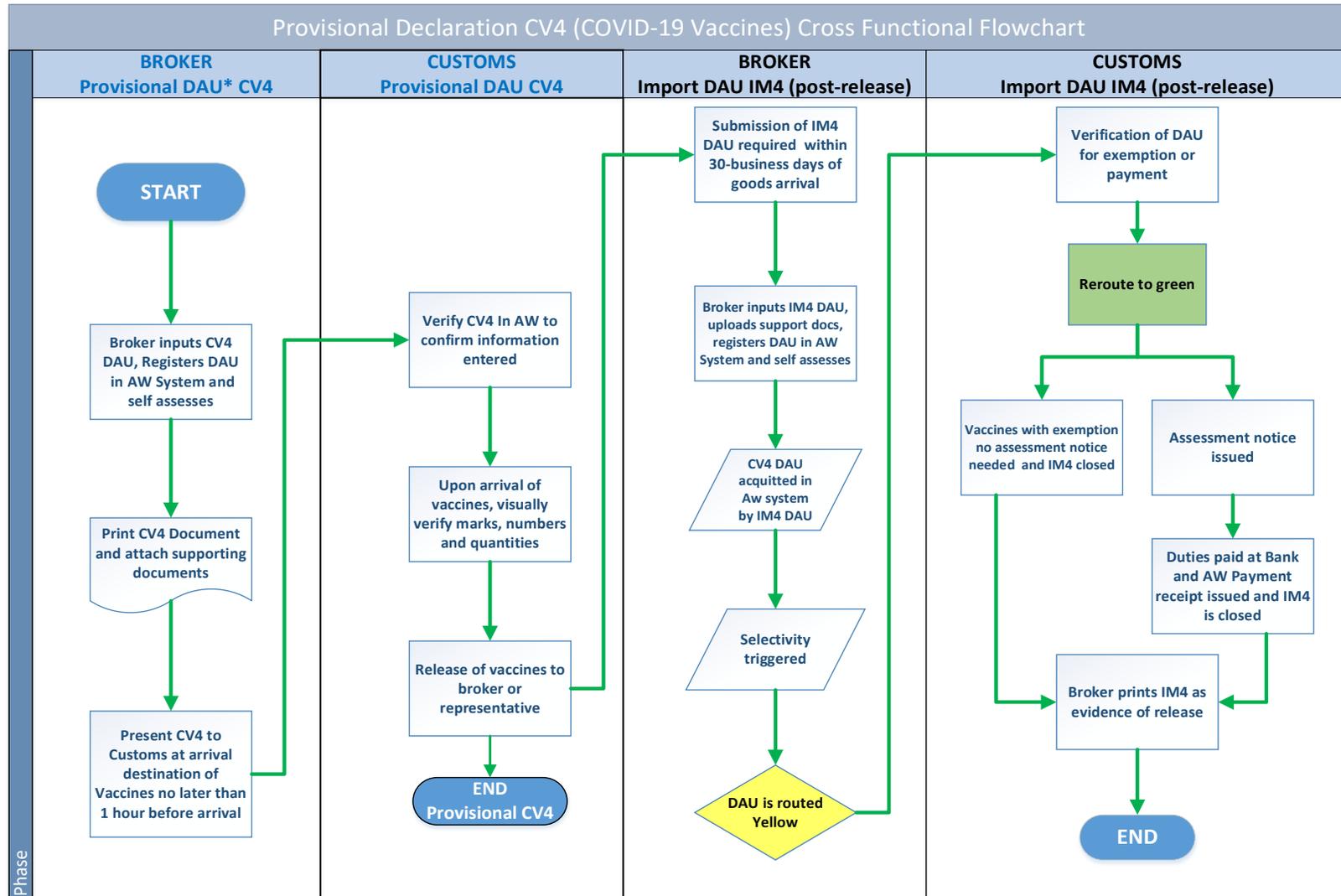
## **Annex 1: Article 172 (Provisional Release)**

### **Customs Code, Decree Law 14/2017**

#### **Chapter II - Simplified Procedures - Article 172 (Provisional Release)**

1. Without prejudice to the conditions set out in the following paragraph, Customs may authorize the release of goods prior to the settlement of customs duties and other charges, on the basis of a simplified declaration.
2. The release of the goods referred to in the previous paragraph shall be subject to:
  - a) The presentation of a declaration, containing at least the information necessary for the identification of the goods, in the form stipulated by the Director General;
  - b) The provision of a bank guarantee, in accordance with the form and at such amount as the Customs may determine sufficient to ensure payment of customs duties and other charges payable on the goods; and
  - c) The determination by Customs that goods are not goods whose import or export, as the case may be, is prohibited by law and that any license, permit, or other authorization required by law has already been obtained.
3. The declarant shall, within the period stipulated after release of the goods, provide an additional declaration containing the additional details necessary to complete the customs declaration in light of the customs procedure involved.

## Annex 2: Procedure Diagram



\* DAU refers to the declaration

### Annex 3: Check list of CV4 Process Activities

If you cannot answer “YES” to each question below, you should not attempt to move onto the next step:

Step	Question	Responsibility	Completed	
			YES	NO
1.	Have you notified Customs in advance that you are expecting a CV4 related consignment?	Declarant	<input type="checkbox"/>	<input type="checkbox"/>
2.	Have you provided relevant details, such as arrival date, time and flight number?	Declarant	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	Have you electronically registered the CV4 DAU within AW?	Declarant	<input type="checkbox"/>	<input type="checkbox"/>
4.	Have you assessed the CV4 DAU, and printed a physical-copy?	Declarant	<input type="checkbox"/>	<input type="checkbox"/>
5.	Have you presented the physical-copy of the CV4 DAU to Customs along with relevant supporting document(s) at least one-hour prior to the arrival of the consignment?	Declarant	<input type="checkbox"/>	<input type="checkbox"/>
6.	Have you verified the CV4 DAU within AW to confirm that the information entered is correct?	Customs	<input type="checkbox"/>	<input type="checkbox"/>
7.	Have you undertaken a visual inspection of the consignment to verify numbers and quantities?	Customs	<input type="checkbox"/>	<input type="checkbox"/>
8.	Has Customs released the goods?	Declarant	<input type="checkbox"/>	<input type="checkbox"/>
<b>Post-Consignment Release</b>				
9.	Have you submitted a full import (IM4) DAU within AW within 30-business days of arrival?	Declarant	<input type="checkbox"/>	<input type="checkbox"/>
10.	Have you included the registration number of the CV4 declaration within box number 44 on the IM4?	Declarant	<input type="checkbox"/>	<input type="checkbox"/>

**Note:** This check-list is provided for guidance purposes only, and completion is not required to fulfil the requirements of the CV4 declaration.