

## STATUTORY INSTRUMENTS

### 2003 No. 467

## CUSTOMS AND EXCISE

### The Customs (Presentation of Goods for Export) Regulations 2003

<i>Made</i>	- - - -	<i>3rd March 2003</i>
<i>Laid before Parliament</i>		<i>4th March 2003</i>
<i>Coming into force</i>	- -	<i>26th March 2003</i>

The Commissioners of Customs and Excise, being a Department designated for the purposes of section 2(2) of the European Communities Act 1972 <sup>F1</sup> in relation to customs matters of the European Communities <sup>F2</sup>, in exercise of the powers conferred upon them by that section and of all other powers enabling them in that behalf, hereby make the following Regulations:

**F1** 1972 c. 68.

**F2** S.I. 1977/980.

#### Citation and commencement

1. These Regulations may be cited as the Customs (Presentation of Goods for Export) Regulations 2003 and shall come into force on 26th March 2003.

#### Interpretation

2. In these Regulations—

“the Commissioners” mean the Commissioners of Customs and Excise;

“the Council Regulation” means the Council Regulation (EEC) 2913/92 establishing the Community Customs Code <sup>F3</sup>;

“customs declaration” has the meaning given by Article 4(17) of the Council Regulation;

“electronic communication” means a communication transmitted (whether from one person to another, from one device to another or from a person to a device or vice versa)—

(a) [<sup>F4</sup>by means of electronic communications network, or]

(b) by other means but while in an electronic form;

“export” means the customs procedure for export described in Articles 4(16), 161 and 162 of the Council Regulation;

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**Changes to legislation:** There are currently no known outstanding effects for the The Customs (Presentation of Goods for Export) Regulations 2003. (See end of Document for details)

“official system” means a system operated by the Commissioners for the acceptance of an electronic communication containing information in connection with the completion of a customs procedure.

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| <b>F3</b> | OJ No. L302, 19.10.92, p.1; there are amendments to the Council Regulation not relevant to these Regulations.  |
| <b>F4</b> | Words in <a href="#">reg. 2</a> substituted (17.9.2003) by <a href="#">The Communications Act 2003 (Consequential Amendments) Order 2003 (S.I. 2003/2155)</a> , art. 1(1), <a href="#">Sch. 1 para. 52</a> |

### **Presentation of goods for export by documentary means**

**3.** For the purposes of Article 4(19) of the Council Regulation (presentation of goods to Customs), presentation of goods to the Commissioners for export shall be made by delivering to them—

- (a) the form prescribed in Schedule 1, or a form to the like effect approved by the Commissioners, containing the information required in relation to those goods by that form; and
- (b) a document containing the information required in relation to those goods by Schedule 2.

### **Presentation of goods for export using an electronic communication**

**4.—(1)** Subject to paragraph (2), the requirements concerning presentation of goods described in regulation 3 may be satisfied by delivery, to an official system by means of an electronic communication, of information concerning the place at which those goods are situated.

(2) Information shall be taken to have been delivered to an official system by means of an electronic communication only if it is accepted by the official system to which it is delivered and is in a form intelligible to the Commissioners.

### **Evidence of contents of an electronic communication**

**5.—(1)** A document certified by the Commissioners to be a printed-out version of any information delivered by means of an electronic communication shall be evidence, unless the contrary is proved, of the authenticity and entirety of the information delivered on that occasion.

(2) A document purporting to be a certificate given in accordance with paragraph (1) shall be presumed to be such a certificate unless the contrary is proved.

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*Ray McAfee*  
Commissioner of Customs and Excise

## SCHEDULE 1

Regulation 3(a)

### PRESENTATION OF GOODS FOR EXPORT

I hereby notify Customs that goods listed on.....

(document reference)

attached

Arrived at.....

(name of wharf, port, airport, together with transit shed reference)

on.....(date)at.....(time)

I present the goods under Article 161 of the Council Regulation (EEC) No. 2913/92.

Signature.....

Name.....

Company.....

Status.....

Date.....

C1601

## SCHEDULE 2

Regulation 3(b)

### PARTICULARS

1. The number of packages containing goods in respect of which a customs declaration for export will be made.

2. The marks and numbers affixed to each such package.

3. A description of the goods in each such package sufficient to enable an officer of customs and excise to identify them.

4. The expected date of export of each such package.

5. The final destination of each such package.

6. The name of the ship, the flight number of the aircraft or the number of the train by means of which each such package will be exported.

Note: For goods carried in a freight container or vehicle, items 4, 5 and 6 may be omitted provided the appropriate container or vehicle manifest showing the details required by those items and the

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identifying number of the container or the registration number of the vehicle is attached to the form prescribed in Schedule 1 or the form to like effect approved by the Commissioners.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which come into force on 26th March 2003, supplement Article 4(19) of Council Regulation (EEC) No. 2913/92 by setting out the manner for presentation to the Commissioners of goods for export.

Regulation 3 and Schedules 1 and 2 provide for presentation to be made by means of documents and set out the information to be provided.

Regulation 4 provides for the requirements relating to presentation to be satisfied by delivering the information specified there by means of an electronic communication.

Regulation 5 makes evidential provision concerning information delivered by an electronic communication.

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