



Malaysian International Chamber of Commerce and Industry

Sole Guaranteeing and Issuing Authority for Malaysia

Founded in 1837 – An affiliate of the International Chamber of Commerce (ICC), Paris



Passport for goods

A service for businessmen and exhibitors travelling with samples and exhibits

1. WHAT IS ATA CARNET?

ATA (“admission temporaire”) Carnets, which are issued by approximately >50 authorised Chambers of Commerce worldwide, are internationally recognized and accepted uniform Customs documents to allow the temporary admission of goods into a member country without the need to raise Customs bonds, payment of duty and the fulfilment of other Customs formalities in one or a number of foreign countries. In Malaysia ATA Carnets are issued only by the Malaysian International Chamber of Commerce and Industry which is an affiliate of the International Chambers of Commerce (ICC) Paris.

The ATA Carnet allows the temporary import of exhibition goods, advertising material, commercial samples, film and medical and professional equipment into a country which is a signatory to the Conventions governing ATA Carnets. So long as the conditions governing the Carnet are observed, its use permits temporary importation without payment of duty and with the minimum of restrictions. It does away with the need for a Customs Declaration.

2. THE ATA CARNET SYSTEM

The ATA Carnet was drawn up by the Brussels based Customs Cooperation Council with the assistance of the ICC’s International Bureau of Chambers of Commerce (IBCC) and is subject to the following International Conventions:

- a) GATT Convention on Samples (1952)
- b) Fairs and Exhibitions Convention of the CCC (Customs Co-Operation Council (1961)
- c) Professional Equipment Convention of the CCC (1961)

These Conventions govern the requirements for temporary duty free admission of a reasonable number of goods from participating countries.

3. THE COUNTRIES ACCEPTING THE ATA CARNETS

Algeria	Hungary	
Andorra	Iceland	Poland
Australia	India	Portugal
Austria	Ireland	Romania
Belarus	Israel	Russia
Belgium/Luxembourg	Italy	Senegal
Bulgaria	Ivory Coast	Serbia
Canada	Japan	Singapore
China	Korea (Rep. of)	Slovak Republic
Croatia	Latvia	Slovenia
Cyprus	Lebanon	South Africa (Rep. of)
Czech Republic	Lithuania	Spain
Denmark	Macedonia Republic	Sri Lanka
Estonia	Malaysia	Sweden
Finland	Malta	Switzerland
France	Mauritius	Thailand
Germany	Mongolia	Tunisia
Gibraltar	Morocco	Turkey
Greece	Netherlands	United Kingdom
Hong Kong	New Zealand	United States of America

4. CONDITIONS TO BE OBSERVED BY AN ATA CARNET HOLDER

Goods imported under an ATA Carnet must not be sold. Such goods must be re-exported by the Carnet holder within the period approved for their temporary admission. It is therefore particularly important to obtain the correct Customs verification of entry and exit from each country visited. Failure to do so may well lead to Customs duty and a penalty or tax being imposed.

The ATA Carnet is a temporary importation document and the holder must comply with the Customs regulations of the country into which goods are imported. Careful note must be made of the authorised period of temporary importation allowed by the foreign Customs upon entry. It is usually 12 months for commercial samples; 6 months for exhibition goods and professional equipment, but sometimes only a few hours or day(s) for goods in transit through a country. Never outstay the stipulated period for temporary admission, otherwise duty will be payable despite proof that the goods were eventually re-exported.

Strict adherence to the conditions governing the use of ATA Carnets is the responsibility of the Carnet holder. As the authorized issuer of the Carnet the Chamber has to guarantee any payments which become due through non-observance of the conditions imposed. Carnet holders are therefore liable to reimburse the Chamber in full for any payments which the Chamber may incur arising from any non-observance of the conditions imposed on a Carnet holder.

5. WHO MAY USE AN ATA CARNET?

Companies and individuals may apply for a Carnet:

- Travelling business/sales executive
- Technicians
- Fair Exhibitors
- Professional individuals and teams:
 - film crew
 - surgeons
 - architects
 - artists
 - engineers
 - educationalists
 - entertainers, etc.

6. WHAT ITEMS ARE COVERED BY THE ATA CARNET SYSTEM?

- a) Commercial Samples, and Advertising Film.
- b) Goods for International Exhibition.
- c) Professional Equipment which includes: Articles for meetings for a charitable purpose, or to promote any branch of learning: art, craft, sport, religion, etc.; equipment for the press; also sound and television broadcasting equipment, musical instruments, costumes, scenery, and other stage properties, cinematographic equipment, professional equipment for testing, maintaining, or repairing machinery, etc.; equipment for use by surgeons, archaeologists, zoologists, entertainers, lecturers, etc.; and vehicles specially adapted for use in connection with any of the above, including travelling workshops and laboratories.

7. WHAT ITEMS ARE EXCLUDED FROM THE ATA CARNET SYSTEM?

Perishable goods and items such as paint, cleaning materials, food, oils, leaflets and brochures, which are considered as “consumable items” and intended to be given away, disposed of, or utilized abroad, are excluded from the system as they would not ordinarily be re-exported.

Also excluded from the ATA Carnet system are the following:

- a) Items already sold or offered for sale. Such items are not considered samples.
- b) Unmounted gems or gemstones; theatrical make-up, etc.
- c) Alcoholic beverages, tobacco and fuels, etc.
- d) Goods intended for processing or repair.
- e) Postal Traffic.

8. WHAT ARE THE ADVANTAGES OF THE ATA CARNET SYSTEM?

The Systems offers the following advantages:

- It cuts out the need for a Customs declaration thereby giving instant recognition and acceptability by their Customs Officers at border points, and also avoids any necessity for a deposit or a guarantee in some form by the exporter bringing goods into the country of temporary importation.
- It permits commercial or professional travellers to make customs arrangements in advance for a country or countries they intend to visit. It also permits them to make these arrangements locally quickly, and at a pre-determined cost.
- It also permits travellers the use of a single ATA Carnet for goods which will pass through several Customs authorities during the course of one trip.

9. HOW DO ATA CARNETS WORK?

The ATA Carnet is a document made up of the following forms:

I) A Green Front Cover

It must be kept intact. It includes the official serial number, validity date and the date and signature of an authorized signatory of the issuing authority, the Malaysian International Chamber of Commerce and Industry.

II) Counterfoils

All counterfoils have been now grouped together and are to be retained by the carnet holder. The Exportation and Re-Importation Counterfoils are grouped in one page (yellow); Importation and Re-Exportation Counterfoils in one page (white); and the Transit Counterfoils in another page (blue).

- (i) A Yellow form *[To be endorsed by Malaysian Customs]*
consisting of:
 - (a) Exportation Counterfoil *[Departing Malaysia]*
This portion must be completed and endorsed by the Malaysian Customs at the exit point. But it must be retained by the ATA Carnet holder together with the other counterfoils within the green covers.
 - (b) Re-Importation Counterfoil *[Returning Malaysia]*
This portion must be completed/verified and endorsed by the Malaysian Customs at the re-entry point. But it must be retained by the holder together with all the other counterfoils within the green covers.
- (ii) A White form *[To be endorsed by Foreign Customs]*
consisting of:
 - (a) Importation Counterfoil *[Entering Foreign Country]*
This portion must be completed and verified by the foreign Customs at the entry point. But it will have to be retained by the ATA Carnet holder together with the other counterfoils within the green covers.
 - (b) Re-Exportation Counterfoil *[Departing Foreign Country]*
This portion must be completed and verified by the foreign Customs at the point of departure. But it will have to be retained by the holder together with the other counterfoils within the green covers.
- (iii) A Blue form (as required for each transit through certain countries) *[To be endorsed by Foreign Customs]*
consisting of:
 - (a) Transit Counterfoils *[Entering and Departing Foreign Country]*
These counterfoils must be completed and verified by the foreign Customs at the entry point and at the point of departure. But like all other counterfoils they will have to be retained by the holder.

III) Vouchers

All vouchers are printed separately in single page. The Exportation and Re-Importation Vouchers (yellow) are to be retained by Malaysian Customs; Importation and Re-Exportation Vouchers (white) are to be retained by Foreign Customs (blue).

- (i) A Yellow form consisting of:
 - (a) Exportation Voucher
[Departing Malaysia] This portion will be retained by the Malaysian Customs at the exit point when goods departing from Malaysia.
 - (b) Re-Importation Voucher
[Returning Malaysia] This portion will be retained by the Malaysian Customs at the re-entry point when goods returning to Malaysia.
- (ii) A White form consisting of:
 - (a) Importation Voucher
[Entering Foreign Country] This portion will be retained by the foreign Customs at the entry point when goods entering foreign country.
 - (b) Re-Exportation Voucher
[Departing Foreign Country] This portion will be retained by the foreign Customs at the point of departure when goods departing from foreign country.
- (iii) A Blue form (as required for each transit through certain countries) consisting of:
 - (a) Transit Vouchers
[Entering and departing Foreign Country] These vouchers will be retained by the foreign Customs at the point of entry and at the point of departure.

IV) A Green Back Cover

This forms the back cover of the ATA Carnet. Please read the notes on the use of the ATA Carnet.

- Note:
- I) All counterfoils must be completed/verified and endorsed by the Customs authorities. But they must all be retained by the ATA Carnet holder within the green covers.
 - II) All vouchers will be retained by the Customs Authorities as indicated above.
 - III) Blue transit forms must be used whenever the goods covered by an ATA Carnet are to transit a country before their final point of temporary importation. In addition it is advised that blue transit forms should be used when the final point of temporary importation is in France, Italy, and Greece.
 - IV) Inform the Chamber immediately upon re-importation into Malaysia.

10. **WHAT HAPPENS IF THE GOODS COVERED BY AN ATA CARNET ARE NOT RE-EXPORTED BECAUSE THEY ARE DESTROYED, LOST OR STOLEN?**

Such goods will automatically become liable to Customs duty or taxes etc. Payment will be the liability of the ATA Carnet holder. In addition, he is responsible to the issuing Chamber for any costs which the Chamber may incur in meeting its obligations as guarantor.

11. **VALIDITY PERIOD OF ATA CARNETS?**

The validity of Carnets extends for 12 months from the date of issue commercial samples, exhibition goods and professional equipment; but for imports covered by a blue transit voucher, the time limit for re-exportation may be only a few hours or days. If the validity period is exceeded, duty and penalty charges will be incurred, despite proof that the goods were eventually re-exported. Any such charges incurred will be the liability of the ATA Carnet holder.

12. **LIABILITY OF ATA CARNET HOLDERS?**

The validity period of an ATA Carnet cannot be extended or renewed. It is also important to bear in mind that if any goods covered by an ATA Carnet are destroyed, lost or stolen whilst in a foreign country, they will automatically become liable for Customs duty, etc. This will be the liability of the ATA Carnet holder. In addition, he will also be responsible to the Chamber for any costs which the Chamber may incur in meeting its obligation as guarantor.

If the Carnet itself is destroyed, lost or stolen a similar situation could arise. In this event the ATA Carnet holder should immediately notify the local Police and/or Customs of the mishap and obtain a covering statement from them.

13. HOW ARE ATA CARNETS ISSUED?

ATA Carnet operations are administered by local Chambers of Commerce in participating countries as a result of an international arrangement known as the "IBCC Chain", sponsored by the International Chamber of Commerce (ICC) in Paris.

In Malaysia, the ATA Carnet scheme is administered by the Malaysian International Chamber of Commerce and Industry and ATA Carnets may only be obtained from the Chamber.

14. HOW TO APPLY FOR AN ATA CARNET?

The procedure is straightforward and comprises:

- a) Completion of the official application form (and payment of the issuing fee). This contains a declaration in which applicants accept liability for non-repatriation of any goods and unconditional liability to reimburse all costs, etc. should the terms of the ATA Carnet be breached.
- b) The lodging of adequate security to cover duty, etc. This security is for an amount equal to 50% of the value of the goods covered by the Carnet, or equal to the highest rate of duty and taxes applicable to the goods in any country of destination, and transit if applicable, plus a further 10%, whichever is the highest. The Chamber will advise applicants of the amount of security required. The security must be given in one of the following forms:
 - Cash
 - Banker's Draft
 - Bank Guarantee, provided that the amount of security required is in excess of RM 20,000.00 – on the Chamber's format.All such provisions of security are required to be valid for a minimum of 31 months from the date of issue.
- c) Completion of the Carnet forms: When preparing the forms it should be borne in mind that, as with all Customs documentation, they must be completed correctly and in full.

The issued ATA Carnet will contain the following forms:

A green front cover, a series of yellow, white and, in certain circumstances, blue counterfoils/vouchers.

The above are the forms and requirements which applicants must complete. When the Carnet is finally approved by the Chamber it will also contain a green back cover which does not require completion by the applicant.

The ATA Carnet is neither complete nor valid without this green back cover and the green front cover which includes the official serial number, period of validity, and the date and signature of the issuing authority.

15. THE GUARANTEE PERIOD

The primary purpose of the ATA Carnet is to give an acceptable guarantee to the Customs authorities of a foreign country into which the goods are temporarily imported that all duties, taxes, etc, will be paid to them if the conditions under which they allow these goods into their country are breached. This Chamber and all the other foreign Chambers participating in the ATA Carnet system provide this guarantee to the Customs authorities. It follows therefore that the issuing Chamber must in turn receive equivalent security from the ATA Carnet holder.

The 31-month guarantee period is essential as this is the period during which the Chamber itself remains liable. There is of course no need for the security given to be "at risk" throughout this period. If an ATA Carnet is used say for 4 weeks and is returned to the Chamber without delay and found to be in order a "Conditional discharge" may, at the Chamber's discretion, be given and the deposit/guarantee will be returned within a short time.

16. HOW LONG DOES IT TAKE TO GET AN ATA CARNET?

From the time the ATA Carnet application is received by the Chamber, it will ordinarily take 3 days to process the application and issue the ATA Carnet. Please allow as much time as possible for the ATA Carnet to be issued – particularly during the peak periods.

17. HOW MUCH DOES IT COST?

As this Chamber is the sole issuing authority for ATA Carnets in Malaysia has been agreed that the concessional rate for MICCI members will be extended to include any applicant who can show that he is a member of one of the NCCIM Constituent Chambers (They are: The Malaysian International Chamber of Commerce and Industry, The Malay Chamber of Commerce & Industry of Malaysia, The Associated Chinese Chambers of Commerce & Industry of Malaysia, The Malaysia Associated Indian Chambers of Commerce & Industry and the Federation of Malaysian Manufacturers) – evidence of membership has to be produced.

Per ATA Carnet	:	MICCI/NCCIM Constituent Chambers
		Members - RM 330.00
		Non-Members - RM 400.00
First Country	:	Free
Endorsement for additional Countries	:	RM 10 each

18. APPLICANTS SHOULD NOTE

The use of an ATA Carnet does not absolve the holder from observing the Customs regulations of the countries which participate in the ATA Carnet system. For example, in certain circumstances an export or import licence may also be required. For further information on export licences from Malaysia please contact the Trade Services Division, Ministry of International Trade and Industry, Block 10, Kompleks Pejabat Kerajaan, Jalan Duta, 50480 Kuala Lumpur, Tel: 03-6203.4821.

19. RESERVATION OF THE CHAMBER'S RIGHTS

- a) The Chamber reserves the right to sight goods covered by an application for an ATA Carnet and to ask for any relevant documents to verify the declaration made.
- b) The issue of an ATA Carnet is at the absolute discretion of the Chamber, and the Chamber reserves the right to refuse to issue an ATA Carnet without assigning any reason for the exercise of the Chamber's discretion.

20. FOR FURTHER INFORMATION, PLEASE CONTACT:

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