

Guideline to the enhancement of  
Advance Filing Rules on Air Cargo  
(Version 1)

March 2019

Customs and Tariff Bureau  
Ministry of Finance

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## Appendices

Appendix 1: Summary of the Enhancement of Advance Filing Rules on Air Cargo (Implementation in March 2019)

Appendix 2: Procedures in case occurring filing difficulties of cargo information etc.

## 1. Introduction

Measures for counter-terrorism in the world have been strengthened for cargoes to be loaded onto aircraft according to the change of situation on terrorism such as detection of explosive devices among air cargo loaded onto an aircraft bound for the U.S from Yemen.

Therefore, Japan Customs needs to be enhancing further the border control of terrorism-related goods/materials, as several important events in Japan such as the Rugby World Cup 2019 and Tokyo Olympic/Paralympic have been scheduled.

For implementation of more effective and efficient border control, among the situation as mentioned above, it is very important to obtain necessary information in advance for risk analysis of air cargo and earlier formation establishment for appropriate action against terrorism.

When it comes to report of cargo information on air cargo, as for advance filing rules (pre-arrival filing rules) implemented in February 2007, the measures have been taken that captains of the aircraft needs to report the data elements of master Airway Bill (AWB) to Customs by 3 hours before arrival in principle with regard to cargoes loaded on the international trade aircraft intended to enter a Customs airport in Japan.

As described before, considering the requirement to further strengthen action against terrorism, the law and regulation regarding Customs have been amended to expand the scope of the rules in fiscal year 2017, and the amendment added name and address of consigners and consignees to data elements regarding the cargoes obliged to file as master AWB information, and also required the house manifest information as data elements of consolidated cargoes same as the master AWB information. And, the data elements of master AWB and house manifest information are obliged to file electronically, in principle, through the Nippon Automated Cargo and Port Consolidated System (hereinafter referred to as the “NACCS”).

As these measures of the enhancement have implemented since 17 March 2019 based on the cabinet order that stipulates the implementation date for the amendment of a part of Customs tariff law and others (Cabinet Order No. 191 on 27 June 2018), the obliged party needs to file the information of cargo loaded onto aircraft appropriately following the scheme of the enhanced advance filing rules described below.

Reference: NACCS is a computerized system for online processing of procedures of Japan Customs and other relevant administrative authorities, or relevant private-sector services for arriving/departing ships and aircrafts or import/export cargo. It is operated by NACCS Center (The company's website: <http://www.naccs.jp/e/index.html>).

The Advance Filing Rules on Air Cargo require the cargo information to be filed electronically, in principle, through NACCS as described in 2-(5) below.

## 2. Summary of the Advance filing Rules on Air Cargo

Advance Filing Rules on Air Cargo will oblige the captain of the aircraft intending to enter a Customs airport to file the information of the cargoes on board to Customs with the jurisdiction over the airport, in principle, electronically by 3 hours before the arrival.

The details described as follows: (Refer to Appendix 1 “Summary of the Enhancement of Advance Filing Rules on Air Cargo (Implementation in March 2019)“ )

### ( 1 ) Cargo to be filed

The cargoes to be filed under the Rules on Air Cargo are all kind of air cargo loaded onto the aircraft intending to enter a Customs airport based on Article 15-(9) and 15-(10) of Customs Law. The following cargoes except in case that Director General of Customs requires the filing about cargo ① and ②, however, does not need to be filed based on the provisions above.

- ① Cargo on board intends to unload at other airport in Japan and at airport overseas
- ② Export cargo and reshipment cargo loaded at an airport in Japan
- ③ Foreign cargo approved of transportation based on article 63-1 of Customs Law (Customs Transit)
- ④ Domestic cargo approved of transportation based on article 66-1 of Customs Law (transit of domestic cargo)
- ⑤ Belongings of passenger and crew
- ⑥ Postal items
- ⑦ Aircraft's stores
- ⑧ Consignment to the captain
- ⑨ Cargo applied to article 21-1(2)-Ni of the DG primary guideline of Customs Law (only in case of temporary unloading the equipment and accessories of aircraft for repair etc. without no hindrance to the enforcement)
- ⑩ Transship cargo to other international trade aircraft according to article 21-6 of DG primary guideline of Customs Law (only in case of transshipping foreign cargo loaded onto international trade aircraft to another international trade aircraft among the same airport including unloading temporarily at a place accepted by Customs)

### ( 2 ) Persons obliged to file

The persons obliged to file under the Rules on Air Cargo are the captain of the aircraft intending to enter Customs airport based on the provisions of Article 15-(9) and 15-(10) of Customs Law.

“Owner etc.” who are the owner or manager, and/or an agent entrusted by the captain, owner and/or manager are also able to file cargo information based on article 26 of Customs Law. Among these case, said “Manager” means the operator etc. who have responsibility for the operation of aircraft, said “an agent entrusted by the owner and/or

“manager” means the branch offices of airlines etc. entrusted by the owner and/or manager, and said “an agent of the captain” means the crew etc. entrusted by the captain.

### (3) Filing Deadline

The filing deadline based on article 15-(9) of Customs Law under the Rules on Air Cargo is 3 hours before the arrival at the Customs airport in principle according to the provision of article 13-(2)-1 of the Cabinet Order for Enforcement of Customs Law.

According to article 2-3-(2)-1 or 2-3-(2)-2 of Ministry Order for Enforcement of Customs Law, however, the deadline is 1 hour before the arrival at Customs airport when the flight time is 3 hours or longer and shorter than 5 hours, and the deadline is before the arrival at Customs airport when the flight time is shorter than 3 hours.

And, when an international trade aircraft has entered without the filing based on article 15-(9) of Customs Law, the persons obliged to file have to submit a report immediately after the arrival according to article 15-(10) of Customs Law.

### (4) Cargo Information to be filed

Based on article 13-(3)-1 of Cabinet Order for Enforcement of Customs Law, the data elements to be filed under the Rules on Air Cargo are described as follow:

#### A. Data elements regarding master AWB

The data elements of “Advance Cargo Information Registration” of NACCS service (the service code is “ADM01”) such as Place of departure, destination, marks, number, description of goods, quantities, name and address of consigner and of consignee, master AWB number (hereinafter means the number of Airway Bill issued by a “transport operator etc.” of the cargo).

#### B. Data elements regarding house manifest information

The data elements of “Advance Cargo Information (House Manifest) Registration” of NACCS service (the service code is “HDM01”) such as Place of departure, destination, marks, number, description of goods, quantities, name and address of consigner and of consignee, master AWB number and house AWB number (that means the number of Airway Bill issued by an operator who does freight forwarding business of the cargo on a regular basis using a transportation provided by another “transport operator etc.” and concludes contract of transportation of the cargo with the “transport operator etc.”)

Note: “transport operator etc.” means any operator other than an operator of international trade aircraft, who is using the transportation service jointly done with and provided by the operator of international trade aircraft, and any operator doing the business overseas that is stipulated in article 2-(18) of Aviation Law of Japan other than operators of international trade aircraft, as well as the operators of international trade aircraft.

## (5) Filing Method

The data elements under the Rules on Air Cargo have to be filed, in principle, electronically using NACCS in accordance with article 15-(14) of Customs Law and article 2-5 of Ministry Order for Enforcement of Customs Law.

Only in case accepted by Japan Customs, however, as the case that it is difficult to electronically file cargo information through NACCS computerized system due to system failure, etc., please respond appropriately referring the Appendix 2 "Procedures in case occurring filing difficulties of cargo information etc." as it will be necessary to report by using other methods.

## (6) Exemption from Advance Filing

Filers are exempted from filing in case that Japan Customs confirms it is difficult to file cargo information in advance due to communication equipment trouble, imminent danger caused by abnormal meteorological phenomena or by serious damage to aircraft engaged in foreign trade, emergency landing due to flight disruption caused by collapse of cargo, violence of the passenger or crew and other similar reasons, and or forced landing due to threat or instruction given by state institution, local authority or other organization equivalent to these in accordance with article 15-(9) of Customs Law, article 13-(1) of Cabinet Order for Enforcement of Customs Law, and article 2-3-(1) of Ministry Order for Customs Law.

As described in 2-(5) above, however, only in case accepted by Japan Customs as the case that it is difficult to electronically file cargo information through NACCS computerized system due to system failure, etc., please respond appropriately referring the Appendix 2 "Procedures in case occurring filing difficulties of cargo information etc." as it will be necessary to report by using other methods.

## (7) Penalty

Any person who brings an aircraft into an Customs airport without making a filing or by making a false filing, or fails to submit documents prescribed in article 15-(10) of Customs Law or submit false documents may be applied the punishment (i.e. imprisonment with labor up to 1 year or a fine not exceeding five hundred thousand yen) based on article 114-(1)-1 or 114-(1)-2, or article 114-(2)-1 or 114-(2)-2 of Customs Law.

Any person who load or unload goods without making a filing prescribed in article 16-(1) (prescribed in article 15-(9)) of Customs Law and without submitting document (i.e. without submission prescribed in article 15-(10) of Customs Law) or by making a false filing or by submission of false documents may be applied the punishment (i.e. imprisonment with labor up to 1 year or a fine not exceeding five hundred thousand yen) based on the first part of article 114-2-(3) of Customs Law.

(END)