

1309: Request for Extension of the Time Limit for Special Declaration and Offering of Collateral

- The extension of the time limit of customs duty, etc., can be made by submitting an Application for Approval (Special Declaration) of Extension of Time Limit (Special Declaration) of the Tariff (including national and local consumption tax) and Collateral Provision Form together with collateral equivalent to the amount of the tariff, etc., to the customs office where the special declaration is to be filed, within the time limit of the Special Declaration.

When the customs office verifies the relevance of the application, Notice of Extension of Time Limit and a receipt of collateral shall be issued. Please keep the receipt of collateral in a safe place since it must be submitted to the customs office when requesting collateral release.

Please note the following when applying:

1. Application may be made either by the importer or the customs agent on behalf of the applicant;
2. Period for extension of the due date is two months or less from the due date of the submission of the Special Declaration (due date of the payment of the tariff, etc., listed in the relevant Special Declaration Form). The applicable amount of duty is within the scope of the amount of collateral; and
3. Extension of the time limit for payment is also applied to national consumption tax and local consumption tax. However, separate procedures are required for liquor and tobacco tax.

(Paragraph 3 of Article 9-2 and Article 9-11 of the Customs Law, Article 8-4 of the Cabinet Order for Enforcement of the Customs Law, 9-2-1 and 9-11-6 of the Basic Note of the Customs Law, Paragraph 3 of Article 51 of Consumption Tax, Paragraph 1 of Article 72-103 of Local Consumption Tax)

- Types of collateral used for the Approval of the Extension of the Time Limit for Special Declaration

There are seven types of collateral: namely, government or local bonds, corporate bond or securities, land, buildings, foundations, written guarantee by guarantor and money.

Specific documents which must be submitted to the customs offices are described below.

1. Government or local bonds: Original copy of deposit receipt. In the case of registered bonds, Notification of Registration.
2. Corporate bond or securities: Original copy of deposit receipt. In the case of Book entry of Shares, etc., two copies of the Request for Book entry of Shares, etc. collateral.
3. Land: Certification of registered matters or transcript of registry.
4. Buildings: Certification of registered matters or transcript of registry.
5. Foundations: Certification of registered matters or transcript of registry.

6. Written guarantee by guarantor: Written guarantee (as frozen collateral) or legal surety bond (security of tax payment imposed on imported goods). In principle, guarantors are banks, long-term credit banks, agricultural and forestry central banks, Shoko Chukin Bank, cooperative banks, life insurance companies, casualty insurance companies, foreign life insurance companies and foreign general insurance corporations.

7. Money: Authenticated copy of deposit statement.

Government bonds, local government bonds and money in cash are deposited at District Legal Affairs Bureaus.

(Article 9-11 of the Customs Law, Article 8-2 of the Cabinet Order for Enforcement of the Customs Law, 9-11-1, 9-11-5 and 9-11-6 of the Basic Notice of the Customs Law)

- Offering of Collateral used at the customs offices within the Country

When an importer wishes to use the Comprehensive Approval System for the Extension of the Time Limit for Special Declaration to any customs offices within the country, this system can be used by submitting an Application for Approval (Special Declaration) of the Extension of the Time Limit for Payment of Customs Duty (also for Consumption Tax and Local Consumption Tax) and Collateral Provision Form with collateral to one of these customs offices.

(Paragraph 2 of Article 9-2 and Article 9-11 of the Customs Law, 9-2-1, 9-11-5, and 9-11-6 of the Basic Notice of the Customs Law, Paragraph 2 of Article 51 of the Consumption Tax Law, Paragraph 1 of Article 72-103 of the Local Tax Law)