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Customs and Tariff Bureau, Ministry of Finance

Summary of Advance Filing Rules on Cargo, Crew and Passenger (Pre-arrival filing rules)

1. The responsible party:

The captain of the vessel or aircraft is responsible for the advance filing. However, such actions may be done by the owner or the administrator of the vessel or aircraft, or by an agent of the owner or the administrator or of the captain of the vessel or aircraft.

2. Filing deadline and Information elements

(1) Vessel

① Deadline stipulated by the designated area:

A Cargo Information

a) The information shall be filed until the time 24 hours before the arrival of the vessel at the port of destination in Japan.

(other than in cases b) and c) below)

b) The information shall be filed until the time 12 hours before the arrival of the vessel at the port of destination if the vessel arrives at the area in Japan from the area other than Japan as stipulated in Section 1 of Annex 1.

c) The information shall be filed before the arrival of the vessel at the port of destination if the vessel arrives at the area in Japan from the area other than Japan as stipulated in Section 2 of Annex 1.

In the application of the deadline above, where the vessel arrives at the port of destination via another Japanese port to which an earlier deadline is applicable, the earlier deadline shall be applicable to the port of destination. (If the vessel arrives at the port via more than one Japanese port, the earliest deadline shall be applicable with priority).

B Passenger Information

a) Passenger information shall be filed until the time 2 hours before the arrival of the vessel at the port of destination in Japan.

(other than in case b) hereunder)

b) Passenger information shall be filed before the arrival of the vessel at the port of destination if the vessel arrives at the area in Japan from the area other than Japan as stipulated in Annex 2 or via other ports in Japan.

② Information elements:

A Cargo information

Place of shipment, place of destination, marks & numbers, cargo descriptions, quantities, consigners and consignees of goods, bill of lading number and in case of container cargo, container number and time of departure of the port of loading

B Crew members

Name, nationality, date of birth, identification number documents and rank

C Passengers

Name, nationality, date of birth, passport number, place of embarkation and final destination

(2). Aircraft

① Deadlines by flight length:

A Cargo Information Deadline

The information shall be filed before arrival by the following deadline pursuant to respective length of the flight from the last foreign airport to the airport of destination in Japan.

a) longer than 5 hours → 3 hours before arrival

- b) between 3 hours and 5 hours → 1 hour before arrival
- c) shorter than 3 hours → before arrival

B Passenger/Crew Information Deadline

The information shall be filed within 30 minutes after departing the last foreign airport toward Japan.

However, in the case of a nonscheduled aircraft such as business jet operated by air carrier other than scheduled air carrier, the information shall be filed before arrival by the following deadline pursuant to respective length of the flight from the last foreign airport to the airport of destination in Japan.

- a) longer than 2 hours → 90 minutes before arrival
- b) between 1 hour and 2 hours → 30 minutes before arrival
- c) shorter than 1 hour, or entering via other airports in Japan → before arrival

② Information elements:

A Cargo Information

Airport of origin, Airport of destination, marks & numbers, cargo description, quantity, and AWB number.

B Passenger/Crew Information

a) Crew members

Name, nationality, date of birth, gender, and passport number.

b) Passengers

Name, nationality, date of birth, gender, passport number, place of embarkation, and final destination.

3. Exceptions to the Advance Filing Rules:

In the following situations where the advance filing is difficult, the information shall be submitted to Customs in writing immediately upon the arrival.

- a) Failure of the telecommunication system.
- b) Emergency caused by fierce weather or grave damage to the vessel or aircraft.
- c) Emergency entry to avoid danger caused by the reasons such as cargo loosening, outrage of passenger/crew or similar reasons
- d) Forced entry by threat (e.g. seajack or hijacking) or by the order of the local/national government entity.

4. Penalties:

Failure in compliance, such as not filing information by the specified deadline or false information, is subject to the following penalties.

A For a vessel or aircraft which moves/flies between a foreign country and Japan for foreign trade
imprison for a term not exceeding one (1) year or be liable for a fine of up to JPY 500 thousand.

B For a vessel/aircraft other than above
imprison for a term not exceeding one (1) year or be liable for a fine of up to JPY 300 thousand.

5. Date of implementation

February 1, 2007

Note: This is a preliminary translation. Please refer to the Japanese legal text for details.