

REPUBLIC OF KIRIBATI
(No. 2 of 1995)

I assent,

Beretitenti
Assented: 8th March 1995

ACT TO AMEND THE CUSTOMS ACT (No. 13 of 1993)

COMMENCEMENT:
1995

MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti.

Short Title

1. This Act maybe cited as the Customs (Amendment) Act 1995.

Amendment of Section 1

2. Section 1 of the Customs Act 1993 is amended –

- (a) in subsection (1) by repealing the word “(1)”;
- (b) in subsection (2) by repealing the whole of “subsection (2)”;
- (c) in subsection (3) by repealing the whole of “subsection (3)”.

Amendment of sections 10, 11 and 12

3. The whole of sections 10, 11 and 12 of the Customs Act 1993 are repealed and the following new sections are substituted –

“Assessment of value of goods

10. (1) Subject to subsection (2) the value of imported goods for which the duty is determined on the basis of value shall be the domestic value of such goods.

(2) Where the actual purchase price of the goods in the Country of export exceeds their domestic value, the actual purchase price shall be taken to be the domestic value of the goods.

Domestic value

11. For the purpose of this Part, “domestic value”, in ‘relation to the imported goods –

- (a) means the market price at which, at the time of export, the goods, or similar goods are offered for sale, for consumption in the country of export, to all purchasers in the usual wholesale quantities in the ordinary course of trade in the principal markets of that country;
- (b) includes the costs of packages ordinarily used in the markets for those goods;
- (c) does not include excise duties, or sales, purchase or value added tax, or other impost payable on the goods in the country.

Valuation on FOB basis

12. The value of imported goods shall include –

- (a) the cost of packing and packages of the goods for export; and
- (b) the cost of transport of the goods to the place of shipment,

but shall not include dock and port charges and storage charges incidental to placing the goods on board aircraft or ship for export to Kiribati.”

Repeal of sections 13 and 14

4. Sections 13 and 14 are repealed.

CUSTOMS (AMENDMENT) ACT 1995

EXPLANATORY MEMORANDUM

1. The principal object of this amendment to the Customs Act 1993 is to repeal sections of the Act which deal with transaction value and CIF valuations for duty purposes and replace those provisions with domestic value as a valuation. Duty will be assessed on the value of goods in their country at the time of export. With valuation also on a free on board basis no duty will be payable on the freight and insurance costs.
2. Section 2 repeals that part of the Act which allows transaction value/CIF value to be introduced by order of the Minister.
3. Section 3 repeals the valuation sections 10 – 14 and substitutes the new domestic valuation procedures. This is similar to the old rules under old Cap. 22.

Michael N. Takabwe
Attorney-General
24 October 1994