
IMPORT CLEARANCE PROCEDURES

a. Outline of Import Clearance

Any person wishing to import goods must declare them to the Director-General of Customs and obtain an import permit after necessary examination of the goods concerned. The formalities start with the lodging of an import declaration and end with issuance of an import permit after the necessary examination and payment of Customs duty and excise tax. In this way, measures are taken to ensure the fulfillment of the requirements for the control of foreign exchange and other regulations concerning the importation of goods.

The basic procedure for submitting declaration documents to Customs is explained below. More than 90 percent of import procedures is currently computerized.

b. Import Declaration (Customs Law, Articles 67 through 72)

(1) Completion and Submission of Import Declarations

Declaration must be made by lodging an import (Customs duty payment) declaration describing the quantity and value of goods as well as any other required particulars.

This import declaration must be made, in general, after the goods have been taken into a Hozei area or other specially designated zone. However, in the case of specific items which need the approval of the Director-General of Customs, the declaration may be made while they are aboard a ship or barge or before they are taken into a Hozei area.

(2) Declarant

Import declaration must be made, in principle, by the person who is importing the goods. Usually, a Customs broker files the declaration as a proxy for importers.

(3) Documents to Be Submitted (Customs Law Article 68)

An import (Customs duty payment) declaration form (Customs form C-5020) must be prepared in triplicate and submitted to Customs with the following documents:

(a) Invoice

- (b) Bill of lading or Air Waybill
- (c) The certificate of origin (where a WTO rate is applicable)
- (d) Generalized system of preferences, certificates of origin (Form A) (where a preferential rate is applicable)
- (e) Packing lists, freight accounts, insurance certificates, etc. (where deemed necessary);
- (f) Licenses, certificates, etc. required by laws and regulations other than the Customs Law (when the import of certain goods is restricted under such laws and regulations);
- (g) Detailed statement on reductions of, or exemption from Customs duty and excise tax (when such reduction or exemption is applicable to the goods);
- (h) Customs duty payment slips (when goods are dutiable).

In principle, Customs requires only those additional documents necessary to ascertain important considerations for permission.

c. Prohibited Articles

The following articles are prohibited by law.

- (a) Opium, other narcotic drugs, equipment for opium smoking, stimulants, and psychotropic substances (excluding those designated by an ordinance of the Ministry of Health, Labour and Welfare);
- (b) Firearms (pistols, rifles, machine guns, etc.), ammunition (bullets) for such articles, and firearm parts;
- (c) Counterfeit, altered, or imitation coins, paper money, bank notes, or securities;
- (d) Books, drawings, carvings, or any other article which harms public security or morals (obscene or immoral materials, such as pornography);
- (e) Articles which infringe upon rights in patent, utility models, designs, trademarks, copyrights, breeders, and neighboring rights, or layout designs of integrated circuits.

d. Verification of Other Laws and Regulations

Some imported goods may have a negative effect on Japanese industry, economy, and hygiene, or on public safety and morals. Such goods fall under "import restrictions" as provided by various domestic laws and regulations.

In the case of restricted imports for which the importer must have a permit and approval relating to the import of goods under the Customs Law, requirements for inspection or other requisites (hereinafter referred to as a permit and approval) must be met.

Therefore, when goods for import require a permit and approval under laws and regulations other than the Customs Law (called other laws and regulations), a certificate of application for a permit and approval under other laws and regulations must be submitted (Article 70 of the Customs Law).

(1) Foreign Exchange and Foreign Trade Control Law

(2) Laws and Regulations Related to Banned Goods

- Law Concerning Wildlife Protection and Hunting
- Firearms and Swords Possession Control Law
- Poisonous and Harmful Substance Control Law
- Pharmaceutical Affairs Law
- Fertilizer Control Law
- Law Concerning Sugar Price Stabilization
- Explosive Control Law
- Law Concerning Screening of Chemical Substances and Regulation on their Manufacture, etc.
- High Pressure Gas Safety Law

(3) Laws and Regulations Concerning Quarantine

- Food Sanitation Law
- Plant Quarantine Law
- Domestic Animal Infectious Control Law
- Rabies Prevention Law

(4) Laws and Regulations Concerning Narcotics

- Cannabis Control Law
- Stimulant Drug Control Law

- Narcotics and Psychotropics Control Law
- Opium Law

e. Pre-Arrival Examination System

(1) Outline of the Pre-Arrival Examination System

Importers are required to declare their imports to Customs after the arrival of the cargoes from foreign countries and bringing them into a Hozei area (Customs Law, Article 67-2).

Generally, Customs inspects the content of each import declaration. The inspection starts only after the cargo has been brought into a Hozei area. The pre-arrival examination system was established to flexibly manage these requirements and allow an import permit to be issued immediately after the import declaration as long as physical examination is not required. Under this system, inspection of the content of pre-arrival declarations is conducted before the cargoes are brought into a Hozei area.

(2) Specific Procedures

The specific procedures of the pre-arrival examination system are as follows:

(a) Cargoes Covered by the System

The pre-arrival examination system can be applied to all types of imported cargo. The cargoes which benefit from the pre-arrival examination system are, needless to say, those in need of quick processing, namely,

- Those shipments which require speedy clearance due to the nature of the content, such as fresh food
- Those under strict delivery terms
- Those with a seasonally limited market, such as Christmas and New Year's articles, etc.
- Those requiring procedures under other laws and regulations
- Those requiring extensive examination of import declarations, such as items requiring various documents

The following cargoes are ideal for the system:

- Those on which the required documents are available in advance
- Those requiring long-distance sea transport or to be transported with approval of Customs transit
- Those cargoes imported on a regular basis

(b) Documents to Be Submitted

A pre-arrival declaration is completed through the submission of a pre-arrival declaration form (a general import [duty payment] declaration form is used for this purpose). Documents to be attached to the pre-arrival declaration form are the same as the documents attached to the declaration [duty payment] form for regular imports.

(c) Customs Office for the Submission of Documents

A pre-arrival declaration form should be submitted to the Customs Office which controls the Hozei area where the cargo is expected to be brought in. However, if the Director-General of Customs approves the submission of a preliminary declaration to another Customs Office, Regional Customs can utilize a different procedure upon consultation with the Customs and Tariff Bureau.

(d) Submission Time

A pre-arrival declaration can be made at any time after the bill of lading (Air Waybill in the case of air cargo) related to the pre-arrival declaration is issued, and the foreign exchange rate for the scheduled import declaration date is announced.

Current exchange rates to the U.S. dollar, the Sterling pound, and other major foreign currencies are normally announced around Tuesday of the previous week. As soon as the documents to be submitted are ready, and declared items are determined, a pre-arrival declaration can be made as early as 11 days before the arrival of the cargo.

(e) Import Declaration

When a cargo is brought into a Hozei area for preliminary declaration and all requirements are

met for the import declaration under the Customs Law, such as the completion of the procedures required under other laws and regulations and if the importer informs Customs of the import declaration, Customs can then treat the pre-arrival declaration as an import declaration.

[see FLOW CHART OF PRE-ARRIVAL EXAMINATION SYSTEM](#)

f. Simple Declaration System



[\[INDEX of Japan\]](#)