

Customs

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1. Customs clearance concerning inbound and outbound passengers

Customs clearance refers to customs procedures involving inbound and outbound passengers declaring their baggage to the customs authorities, who check items and may require the payment of a duty — or exempt them from duty — in accordance with the law.

2. Which documents do inbound & outbound travelers need to provide when declaring at Customs?

Travelers who declare items at customs should submit a Declaration Form of In/Outbound Passenger Luggage at the Customs of the People's Republic of China or other declaration documents, valid inbound or outbound certificates — and other documents issued by authorized organs of the People's Republic of China, such as inbound and outbound permits for the mailed items and business documents.

3. What happens when foreign nationals fail to declare items as required by China's customs authorities?

Travelers who fail to declare items to the customs authorities — and bring in prohibited/restricted, or taxable goods or articles — are penalized in accordance with the Customs Law of the People's Republic of China and Regulation of the People's Republic of China on the Implementation of Customs Administrative Punishment.

4. Details about the "Goods to Declare" and "Nothing to Declare" clearance system

The dual Customs clearance system — "Goods to Declare" and "Nothing to Declare" — is a procedure to deal with items belonging to inbound and outbound passengers — and this system is used in many countries.

It involves two channels, the Red Channel "Goods to Declare," and the Green Channel "Nothing to Declare" — in both English and Chinese.

Most of the customs authorities in China use this clearance system.

5. Which channel should I choose when entering or leaving China?

In ports that have a dual customs clearance system:

Travelers who carry articles that should be declared should choose the Red Channel "Goods to Declare"; passengers who do not know which channel to choose

should also choose this channel; other passengers can choose the Green Channel "Nothing to Declare."

6. What are the customs procedures for mailed items entering China?

Local post offices handle the customs procedures on behalf of recipients of mailed items entering China in different cities.

The post offices deliver the mailed items — after they are checked by the customs authorities.

The recipient can also go to the post office to handle customs formalities in person — in special circumstances, or at his/her own request.

7. What are the customs procedures for mailing items from China?

The sender should fill in a customs declaration form before mailing items from China. In the case of a parcel, the sender should also fill in a green customs inspection tag — including a description of the contents, quantity and value.

The sender should then proceed to the customs counter in the post office — and, once the parcel is cleared, he/she can leave it at the post office.

In post offices where there are no customs counters, the sender can mail his/her parcel, following the procedures above — and the post office is responsible for sending the parcel to the customs authorities before it is then sent overseas.

8. Is there any duty-free policy for mailed items entering China?

Personal mailed items entering China are subject to customs import duties in accordance with the law.

However, items with import duties not exceeding 50 yuan are exempt from import duties.

9. What is the maximum value of mailed items?

Items sent to or from Hong Kong, Macao, and Taiwan: the maximum value is 800 yuan.

Items sent to or from foreign countries: the legal maximum value is 1,000 yuan.

10. Regulations regarding inbound & outbound personal mailed items

Inbound and outbound personal mailed items are items for personal use, and of a reasonable quantity for such items. The main goals of the customs authorities concerning such items involve ensuring normal exchange,

covering reasonable personal needs, and limiting smuggling.

The customs authorities set up maximum value, and duty-exemption value of mailed items, as well as list of items prohibited and restricted from mailing.

The customs authorities check items and may require the payment of a duty — or exempt them from duty — in accordance with the law.

11. Customs regulation on personal postal articles

Personal postal articles refer to inward/outward passenger baggage, gifts exchanged between relatives and friends and other personal articles, limited to reasonable quantities for personal use.

Inward/outward personal postal articles shall be limited to reasonable quantities for personal use. The customs supervision principles for inward/outward personal postal articles are: expedite regular travel and take consideration of personal reasonable use, and restrict smuggling and other illegal activities. Based on the principles, the Customs promulgated the quantity limit of articles and prohibited and restricted articles delivered by mail. The Customs will inspect articles and levy or waive duties according to regulations.

1) The Customs shall impose import duty on personal articles mailed from other areas and waive duties for articles with import duties not more than 50 yuan.

2) Personal articles mailed from or to Hong Kong, Macao and Taiwan shall be limited to the value of 800 yuan, and 1,000 yuan for personal articles mailed from or to other countries and regions.

3) Personal articles whose value exceeds the above-mentioned duty-free limit should be returned or be cleared from customs according to goods regulations. Nonetheless, if the mail contains only one inseparable article whose value exceeds the limit, the mail will be cleared as personal article upon verification by the customs as article for personal use.

4) Inward/outward commercial mails should be cleared in line with goods regulation.

12. Articles prohibited as imports:

1) Arms, ammunition and explosives, of all kinds.

2) Coins, banknotes, currency notes, securities of any kind payable to bearer, travelers' checks, counterfeit currencies and counterfeit negotiable securities.

3) Printed matter, films, photographs, gramophone records, cinematographic films, loaded recording tapes

and videotapes, compact discs (video and audio), storage medium for the computer and other articles which are detrimental to the political, economic, cultural and moral interests of the People's Republic of China.

4) Deadly poisons of all kinds.

5) Opium, morphine, heroin, marijuana and other addiction-inducing drugs and psychedelic substances.

6) Animals, plants and products thereof infected with or carrying disease germs, insect pests and other harmful organisms.

7) Foodstuff, medicines and other articles coming from epidemic-stricken areas and harmful to man and livestock or those capable of spreading diseases.

13. Articles prohibited as exports:

1) All articles listed as articles prohibited as imports.

2) Manuscripts, printed matter, films, photographs, gramophone records, cinematographic films, loaded recording tapes, videotapes, compact discs (video and audio), storage medium for the computer and other articles which involve State secrets.

3) Valuable cultural relics and other relics prohibited as exports.

4) Endangered and rare animals and plants (including specimens thereof) and their seeds or reproducing materials.

14. Articles subject to restrictions as imports:

1) Radio transmitter-receivers and units ensuring secrecy in communication.

2) Tobacco and wines.

3) Endangered and rare animals and plants (including specimens thereof) and their seeds or reproducing materials.

4) Renminbi (national currency).

5) Other articles restricted from importation by Customs.

15. Articles subject to restrictions as exports:

1) Precious metals such as gold and silver and articles made thereof.

2) Renminbi (national currency).

3) Foreign currencies and negotiable securities.

4) Radio transmitter and communication security machines.

- 5) Valuable traditional Chinese medicinal materials.
- 6) Ordinary cultural relics.
- 7) Other articles restricted from exportation by Customs.

16. The customs on the printed, audio and video products regulation

Personal inward/outward printed, audio and video products should be limited to reasonable quantities for personal use. The exceeded portions shall be returned. Products within the quantity and without prohibited contents will be released.

Inward/outward printed, audio and video products under customs supervision include:

Printed products — books, newspaper, magazines, printed documents, letters (except personal letters), hardcopies, paintings, manuscripts, hand-written copies.

Audio and video products — audiotapes, videotapes, gramophone records, magnetic tapes, videotapes, compact discs, video compact discs, cinematographic films, photographic plates, slides and a variety of the storage media for computers.

17. Printed, audio and video articles prohibited as imports

The importation of the articles containing the following contents is prohibited:

- 1) Containing contents that attack the Constitution of the People's Republic of China; falsely accuse the existing policies of the country; slander the Communist Party of China and the leaders of the country; contain propaganda which tries to overturn the government and/or destroy the stabilization, make racial segregation between all ethnic groups of the country; provoke "two Chinas" or "Taiwan independence" saying.
- 2) Containing detailed obscenity or pornography.
- 3) Publicizing feudalism superstition, murder or other violence.
- 4) Containing other contents which are detrimental to the political, economic, cultural and moral interests of the People's Republic of China.

18. Printed, audio and video articles prohibited as exports

The exportation of the articles containing the following contents is prohibited:

- 1) Listed as prohibited items from importation.
- 2) Involved with State secrets.

3) Publications containing description as "Published in Interior" or "Published in Domestic".

4) Documents and papers marked "Interior Communication", "Interior Reference", as well as for reference of the colleges and universities including the State geology and topography mapping documents.

5) Domestic printed, audio and video products published illegally, or violating the intellectual property right and pirating from foreign publishing agency.

6) Antique printed products prohibited from exportation and other printed products which are of cultural value, including the domestic original editions of the chorography, pedigree and genealogy.

19. Customs supervision over express consignments of goods

Express consignments of goods category mean the express consignments other than document and individual articles category. Goods express consignments are subdivided into three types.

The first type includes import and export express consignments.

Import: the goods whose tariff amount is below the minimum threshold of tariff as prescribed in the

"Regulations of the People's Republic of China on Import and Export Tariff" as well as the samples of goods or the advertisement articles exempted from customs duty as prescribed by the customs.

Export: the samples of goods or the advertisement articles (except for those prescribed by laws or regulations to be subject to permit administration, those for which export tariff shall be levied, those for which foreign exchanges need to be collected upon export, and those for which taxes need to be refunded for export).

For the inward and outward express consignments of this type, the "KJ2 Customs Declaration Form of the Customs of the People's Republic of China for Inward and Outward Express Consignments", the specific transport document of each express consignment, the invoices, and other documents as required by the customs shall be submitted.

The second type refers to inward express consignments. For the samples of goods or the advertisement articles on which customs duties shall be levied (except for those prescribed by laws or regulations to be subject to permit administration, and those for which foreign exchanges need to be paid upon import), the "KJ3 Customs Declaration Form of the Customs of the People's Republic of China for Inward and Outward Express Consignments", the specific transport document of each inward express

consignment, the invoices, and other documents as required by the customs shall be submitted.

The third type refers to goods other than the first and the second type. The clearance for the goods of this type shall be handled in accordance with the provisions of the customs on clearance of import and export goods.

20. Customs declaration and clearance requirements in the process of mail posting

Major Declaration Issues

- 1) Keep item nature back and declare items as something else
- 2) Fail to declare items in accordance with requirements, or make no declaration of items, including item name, quantity, value and place of origin
- 3) Undervalue items, such as "ZERO VALUE", "NO COMMERCIAL VALUE".
- 4) Simply declare items as "GIFT", "PERSONAL USE", "GOODS", "SAMPLE" in Declaration Form, Performa Invoice (Commercial Invoice) or CN22 of waybill
- 5) Declare in Chinese

Declaration Requirements

- 1) Declare clearly and specifically the item name in English in CN22 and CN23 declaration column, for example, "A Pair of Leather Shoes", "Two Cotton Shirts", "Five Cashmere Sweaters".
- 2) Declare item values accurately and reasonably, and fill out the values clearly in Quintuplet Waybills, Declaration Manifests and Performa Invoices (Commercial Invoices), and make sure the declared values are consistent.
- 3) Goods, samples, advertisements, and gifts sent by non-individuals should include a Performa Invoice, listing consignor and consignee name and telephone number, company name and address, item name, quantity, value and place of origin.

21. Why do the customs authorities of the People's Republic of China collect flat duty on inbound articles?

The customs authorities of the People's Republic of China levy import duty on mailed articles and travelers' luggage, in accordance with the Customs Law of the People's Republic of China, Regulations of the People's Republic of China on Import and Export Duties and other related laws and regulations.

22. Who is responsible for the payment of duty on inbound articles?

The person required to pay duty on inbound articles refers to the person who carries articles into the Customs territory, the recipient of inbound mailed articles, or the recipient of articles imported in any other ways.

23. What is the flat duty on inbound articles?

The import duty on inbound articles and taxes collected by China's customs authorities on behalf of government departments are amalgamated into a flat duty, which is collected by the customs authorities, in accordance with the law.

24. What kind of printed materials and audio/video products cannot be taken out of the country?

Printed materials and audio/video products which fall into any of the following categories cannot be taken out of the country:

- (1) Materials and products which would be denied entry
- (2) Materials and products which involve national secrets
- (3) Materials and products which contain descriptions as "Published as Interior Material";

(4) Antique books — and other articles of cultural value — listed in Reference Standard for Exporting Antique Appraisal as items prohibited from export.

25. Do China's customs authorities check inbound and outbound personal correspondence?

The customs authorities do not have the right to check inbound and outbound personal correspondence, in accordance with the Constitution of the People's Republic of China, which stresses that freedom and privacy of correspondence of citizens of the People's Republic of China are protected by law.

26. What kind of printed materials and audio/video products may be denied entry?

The importation of printed materials and audio/video products which fall into any of the following categories is prohibited:

- 1) Materials and products with content that attacks the Constitution of the People's Republic of China; makes unfounded accusations against the country's policies; slanders the Communist Party of China and the country's leaders; contains propaganda which aims to overthrow the government and/or affects stability, seeks to cause tensions among China's different ethnic groups; refers to "two Chinas" or "Taiwan independence".

- 2) Materials and products that are obscene or pornographic;
- 3) Materials and products that promote feudalism, superstition, murder or other acts of violence;
- 4) Materials and products which harm the political, economic, cultural and moral interests of the People's Republic of China.

27. What kinds of printed matter and audio/video products are under the supervision of the Customs?

The printed matter and audio/video products under the supervision of the Customs are as followings:

Printed matter: books, newspapers, magazines, copies, letters (personal letters excluded), photocopies, paintings, manuscripts, hand-written copies and so on.

Audio/video products: the storage media containing audio tapes, video tapes, gramophone records, laser gramophone records, laser video discs, cine film, photographic plates, slides, computer discs, compact discs, cassettes and so on.

28. The Chinese customs authorities focus on what kind of printed material and audio/video products?

The Chinese customs authorities focus on inward and outward trade, non-tradable printed matter and audio/video products.

Tradable printed matter and audio/video products: They refer to inward and outward printed matter — and also to audio/video products used by a company which can engage in the import and export business — after obtaining the approval of the State authorities.

Non-tradable printed matter and audio/video products: They refer to printed matter, and audio/video products used by an organization or individual — for personal use, presents or inward and outward exchanges — but not used for monetary profit.