



**Attention all declarants;**

Due to a large number of recurring entry errors being observed and managed by Customs, with effect Monday 3<sup>rd</sup> February 2020, the Cook Islands Customs Service intends to commence imposing Administrative Penalties pursuant to **section 160** of the Customs Revenue and Border Protection Act 2012.

Administrative Penalties will apply to **every entry (or amendment to entry)** required under this Act and includes every supporting document or declaration required to be made or produced by every person making the entry.

An Administrative penalty will apply when:

1. an amount of duty payable under the Act has not (or will not) been paid or declared for payment
2. the entry is otherwise materially incorrect

Notice of such a penalty will be given in writing to the person who made the entry. That person has 20 working days from the notice date, to satisfy the Comptroller that the person is entitled to be exempted from such a penalty.

The penalties that will apply and as stated in the Act are:

1. Where an amount of duty payable under the Act has not (or will not) been paid or declared for payment, the penalty is \$100.00 or an amount equal to 20% of the duty unpaid or not declared up to a maximum of \$5000.00
2. Where the entry is otherwise materially incorrect, the penalty is \$100.00 for each entry.

Examples of errors which will attract Administrative Penalties include (but are not limited to):

<b>Error</b>	<b>\$100 or 20% of the duty</b>	<b>\$100.00</b>
Goods shown on invoice but not included on the entry	Yes	
Incorrect concession used	Yes	
Freight not included in calculations	Yes	
Incorrect Importer details		Yes
Incorrect exchange rate or currency used		Yes
Substantially incorrect tariff item used		Yes
Incorrect value used	Yes	
Incorrect shipping details used		Yes