

TECHNICAL

Indirect Taxation

CUSTOMS DUTIES (GOODS UNDER THE FRAMEWORK AGREEMENT ON COMPREHENSIVE ECONOMIC CO-OPERATION BETWEEN ASEAN AND CHINA) (ASEAN HARMONISED TARIFF NOMENCLATURE) ORDER 2014.[P.U.(A) 248/2014]

The above order was gazetted on 29 August 2014 and comes into operation on 15 September 2014. The salient points of the order are set-out in the table below:

Paragraph No. & Heading	Summary
2. "Interpretation"	<ul style="list-style-type: none"> The word "products" in the Framework Agreement on Comprehensive Economic Co-operation between ASEAN and China has the same meaning as "goods" defined in subsection 2(1) of the Customs Act 1967
3 "Import Duty"	<ul style="list-style-type: none"> Subject to the provisions of the First Schedule and the Third Schedule, import duty shall be levied on, and paid by the importer, in respect of goods imported and at a rate as specified in the Second Schedule originating from China and ASEAN countries. The import duty rate specified in column (4) of the Second Schedule shall be paid by the importer in lieu of the corresponding full import duty imposed under the Customs Duties Order 2012 [P.U.(A)275/2012] only in respect of the class of goods which are shown to the satisfaction of the Director General to have originated from China or ASEAN countries. For goods liable to import duty under the Customs Duties Order 2012 imported on or with any person entering Malaysia or in the baggage of such person and is intended for non-commercial use (except motor vehicles, alcoholic beverages, spirits, tobacco and cigarettes), only a customs duty at a flat rate of 30% ad valorem shall be levied on and paid by the importer. For those goods not entitled to the rate of duty specified in the Second Schedule, import duties shall be levied at the full rates as specified in the Customs Duties Order 2012.
5 "Classification of goods"	<ul style="list-style-type: none"> The classification of goods in the Second Schedule shall be governed by the General Rules for the Interpretation of the Harmonised System under the International Convention on the Harmonised Commodity Description and Coding System.
6 "Revocation"	<ul style="list-style-type: none"> The Customs Duties (Goods under the Early Harvest Programme and the Framework Agreement on Comprehensive Economic Co-Operation between ASEAN and China) Order 2008 [P.U.(A) 228/2008] is revoked.
First Schedule	<ul style="list-style-type: none"> Part I : Rules Of Origin For The ASEAN-China Free Trade Area <ul style="list-style-type: none"> ➤ Attachment B – Product Specific Rules <ul style="list-style-type: none"> A. Exclusive Rule/Criterion

	<p>B. Alternative Rules --</p> <ol style="list-style-type: none">1. Change in Tariff Classification2. Process Criterion for Textile and Textile Products -Working or Processing Carried Out on Non-Originating Materials that Confers Originating Status <ul style="list-style-type: none">• Part II : Operational Certification Procedures (OCP) For The Rules Of Origin Of The ASEAN-China Free Trade Area
Second Schedule	<ul style="list-style-type: none">• Classes of goods with rate of import duty by % under the ASEAN-China Free Trade Area
Third Schedule	<ul style="list-style-type: none">• Exclusion List<ol style="list-style-type: none">A. Product excluded for all ASEAN countriesB. Products not eligible for concession under ACFTA for China

Members may read the Order in full at the official website of the [Attorney-General's Chambers](#).

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