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Comité de Valoración en Aduana

Original: inglés

NOTIFICACIÓN DE CONFORMIDAD CON EL ARTÍCULO 22 DEL ACUERDO RELATIVO A LA APLICACIÓN DEL ARTÍCULO VII DEL ACUERDO GENERAL SOBRE ARANCELES ADUANEROS Y COMERCIO DE 1994

REPÚBLICA POPULAR CHINA

Se ha recibido de la Misión Permanente de la República Popular China la siguiente comunicación, de fecha 1º de julio de 2002.

Con referencia a la Decisión sobre notificación y comunicación de las legislaciones nacionales (adoptada por ese Comité de la OMC el 12 de mayo de 1995), tengo el honor de notificar al Comité de Valoración en Aduana el texto íntegro¹ de la reglamentación de China relativa a la valoración en aduana:

Decreto N° 95 de la Administración General de Aduanas de la República Popular China sobre las Normas de la Administración General de Aduanas de la República Popular China relativas a la determinación del valor en aduana de las mercancías importadas y exportadas.

La reglamentación antes mencionada es auténtica en el idioma chino, y la traducción al inglés se facilita únicamente a efectos de consulta por el Comité y los Miembros de la Organización Mundial del Comercio.

¹ Solamente en inglés.

**Decree of General Administration of customs administration
of The People's Republic of China**

NO. 95

December 31, 2001

The Rules of General Administration of the People's Republic of China Regarding Determination on Customs Value of Imported and Exported Goods has been approved by the Working Meeting of the Executives of the General Administration of Customs on December 25, 2001 and is hereby publicized. The *Rules* shall be come into force on January 1, 2002, whereupon *the Regulations of General Administration of Customs of the People's Republic of China Regarding Determination on Customs Value for Imported and Exported goods* effective on September 1, 1992 and *the Regulations of General Administration of Customs of the People's Republic of China Regarding Determination of Customs Value for Imported and Exported goods under inward Processing* effective on October 1, 1999 shall be invalid.

MU Xinsheng
(Signature)
Commissioner
General Administration of Customs
The People's Republic of China

The Rules of General Administration of Customs of the People's Republic of China Regarding Determination on Customs Value of Imported and Exported Goods

Chapter I General Provisions

Article 1 The Rules are formulated to determine correctly the customs value of imported and exported goods in accordance with the *Customs Law of the People's Republic of China*, the *Regulations on Import and Export Tariff of the People's Republic of China* and other related laws and regulations.

Article 2 Customs administration shall, in accordance with the Rules, determine the customs value of imported and exported goods complying with the principles of objectivity, fairness and uniformity.

Chapter II Customs Value of Imported Goods

Article 3 The customs value of the imported goods shall be determined by customs administration on the basis of the transaction value, including the charges associated with the transport of imported goods and the cost of insurance and associated costs incurred prior to unloading of the goods at the port within the customs territory of the People's Republic of China.

The transaction value of the imported goods is the price actually paid or payable for the goods by the buyer adjusted in accordance with the provisions of Article 4 and Article 5, provided:

- (a) that there are no restrictions as to the disposition or use of the goods by the buyer other than restrictions which are imposed by laws and regulations, limit the geographical area for resale or do not have substantial effect on the value of the goods;
- (b) that the price is not subject to some condition or consideration for which a value cannot be determined with respect to the goods being valued;
- (c) that no part of the proceeds of any subsequent resale, disposal or use of the imported goods by the buyer will accrue directly or indirectly to the seller, unless an adjustment can be made in accordance with the provisions of Article 4; and
- (d) that the buyer and seller are not related, or where the buyer and seller are related, that the provisions of Article 6 shall be applied.

Article 4 In determining the customs value of the imported goods, the following shall be added:

- (a) the costs incurred by the buyer:
 - (i) commissions and brokerage, except buying commissions;
 - (ii) the cost of containers which are treated as being one with the goods in question;
 - (iii) the cost of packing whether for labor or materials.
- (b) the value, apportioned as appropriate, of the following goods and services where supplied directly or indirectly by the buyer to the seller free of charge or at reduced cost:
 - (i) materials, components, parts and similar items incorporated in the imported goods;
 - (ii) tools, dies, moulds and similar items used in the production of the imported goods;
 - (iii) materials consumed in the production of the imported goods;
 - (iv) engineering, development, artwork, design work, and plans and sketches undertaken elsewhere than in the customs territory of the People's Republic of China and necessary for the production of the imported goods.

- (c) royalties and license fees related to the imported goods that the buyer must pay, either directly or indirectly, as a condition for sale of the goods being valued to the People's Republic of The People's Republic of China;
- (d) the value of any part of the proceeds of any subsequent resale, disposal or use of the goods that accrues directly or indirectly to the seller.

For the above-mentioned values and costs, the importer of the goods shall provide customs administration with information on the basis of objective and quantifiable data. If such information is not available, the customs value shall be determined by customs administration in accordance with the provisions of Article 7 through Article 11, inclusive.

Article 5 In determining the customs value of imported goods, the followings, provided that they are distinguished from price actually paid or payable for the imported goods, shall not be included:

- (a) charges for construction, erection, assembly, maintenance, technical assistance undertaken after importation on goods such as industrial plant, machinery and equipment;
- (b) the cost of transport of the goods after importation;
- (c) import duties and other internal taxes.

Article 6 Where the seller and the buyer are related within the meaning of Article 42, the transaction value shall be accepted whenever the customs administration considers that the relationship did not influence the price or the importer demonstrates that such value closely approximates to the one of the following occurring at or about the same time:

- (a) the transaction value in sales to unrelated buyers of identical or similar goods for export to the People's Republic of China;
- (b) the customs value of identical or similar goods as determined under Article 9;
- (c) the customs value of identical or similar goods as determined under Article 10.

In applying the foregoing tests, due account shall be taken of demonstrated differences in commercial levels, quantity levels, the elements enumerated in Article 4 and Article 5 and costs incurred by the seller in sales in which the seller and buyer are not related and that are not incurred by the seller in sales in which the seller and the buyer are related.

Article 7 where the customs value of the imported goods cannot be determined under the provisions of Article 3, customs administration shall apply the following methods in its sequential order:

- (a) transaction value of the identical goods;
- (b) transaction value of the similar goods;
- (c) deductive value;
- (d) computed value; and
- (e) reasonable means.

At the request of the importer, the order of the application of the deductive value and the computed value might be reversed, provided that sufficient information been submitted.

Article 8 In applying the transaction value method of identical or similar goods, customs value shall be based on the transaction value of identical or similar goods imported at or about the same time as the goods being valued.

In applying the foregoing paragraph, the transaction value of identical or similar goods in a sale at the same commercial level and in substantially the same quantity as the goods being valued shall be used to determine the customs value, and an adjustment shall be made to take account of differences in costs and charges between the imported goods and the identical or similar goods in question arising from differences in distances and modes of transport on the basis of objective and quantifiable data.

If, in applying the foregoing paragraph, no such transaction value of identical or similar goods is found, the transaction value of the identical or similar goods sold at a different commercial level and/or in different quantities, adjusted on the basis of information accurately establishing the amount to take account of differences in prices, costs or other charges attributable to commercial level, quantity, and/or distance and modes of transport, shall be used to determine the customs value on the basis of objective and quantifiable data.

In determining the customs value under this Article, the transaction value of the identical or similar goods of the same manufacturer shall be used in the first place, other transaction values of the identical or similar goods in the manufacturing country or region can only be used when the transaction value of the identical or similar goods of the same manufacturer is not found.

If more than one transaction value of identical or similar goods is found, the lowest such value shall be used to determine the customs value of the imported goods.

Article 9 In applying the deductive value method, the resale price of the identical or similar goods of the imported goods being valued shall be used to determine the customs value, provided that the imported goods or identical or similar imported goods are sold in the customs territory of the People's Republic of China:

- (a) at or about the time of importation of the goods being valued;
- (b) in the condition as imported;
- (c) in the first sale within the customs territory of the People's Republic of China.
- (d) in the greatest aggregate quantity;
- (e) to an unrelated party within the customs territory of the People's Republic of China.

In determining customs value of the imported goods under the foregoing paragraph, the following items must be deducted:

- (a) profit, general expenses and commissions usually paid, which are incurred in connection with sales within the customs territory of the People's Republic of China of imported goods of the same class or kind as the goods in question;
- (b) the cost of transport, insurance, loading and unloading and other fees or charges after importation;
- (c) customs duties and taxes on importation, and other national taxes by reason of the importation or sale of the goods thereof.

In determining the customs value of the imported goods under the paragraph 1 and 2, if neither the goods being valued nor the identical nor similar goods are sold within the customs territory of the People's Republic of China at or about the same time of importation of the goods being valued, the resale time could be extended to 90 days after the date of such importation if the other conditions provided in paragraph 1 are satisfied.

Where neither the goods being valued nor the identical nor similar goods are sold within the customs territory of the People's Republic of China in the condition as imported, at the request of importer, the price of the goods after further processing shall be used to determine the customs value,

due allowance being made for the value added for such processing, provided other conditions set in paragraph 1 are satisfied.

In determining the items to be deducted under this Article, principles and methods applied shall be consistent with the generally accepted accounting principles in the People's Republic of China.

Article 10 In applying the computed value method, customs value shall consist of the sum of the following items:

- (a) the cost or value of raw materials and fabrication or other processing employed in producing the imported goods;
- (b) an amount for profit and general expenses equal to that usually reflected in sales of goods of the same class or kind as the imported goods being valued which are sold for export to the customs territory of the People's Republic of China;
- (c) the cost of transport, insurance and other charges incurred prior to unloading the goods at the port of entry or place of importation within the customs territory of the People's Republic of China.

In determining the customs value of the imported goods under the foregoing paragraph, customs administration may conduct on-site verification of the information provided by the producer of the goods in another country with the agreement of the producer and notification in advance to the government of the country of region in question. .

In determining the values or costs under the first paragraph, principles and methods applied shall be consistent with the generally accepted accounting principles applied in the country where the goods are produced.

Article 11 In applying reasonable means, the customs value of imported goods shall be determined in a manner consistent with the principles and general provisions of the Rules and on the basis of information available in the customs territory of the People's Republic of China, other than the prices of the following:

- (a) the selling price in the customs territory of the People's Republic of China of the goods wherein produced;
- (b) the higher of the alternative values;
- (c) the selling price of the goods on the domestic market of the country of exportation;
- (d) the price computed other than the values or costs of the first paragraph of Article 10;
- (e) the selling price of the goods for export to a third country or region other than the People's Republic of China;
- (f) minimum customs value, arbitrary or fictitious values.

Chapter III **Customs Value of Special Imported Goods**

Article 12 Where the materials and parts for inward processing and the finished product are subject to customs duties for importation or customs duties for domestic sale, the customs value shall be determined in accordance with the provisions of Chapter II, and

- (a) the customs value of the imported materials and parts for inward processing which are subject to customs duties shall be determined on the basis of the value declared of the materials and parts at the time of entry for customs purpose;

- (b) the customs value of the materials and parts for inward processing which are bought by the importer and the finished product (including scrap, waste or byproduct) thereof, for domestic sale, shall be determined on the basis of the value of importation of the materials and parts;
- (c) the customs value of the materials and parts for inward processing which are provided by a person outside of the customs territory and the finished product (including scrap, waste or byproduct) thereof, for domestic sale, shall be determined on the basis of the value of the materials and parts at the time of making entry for domestic sale;
- (d) the customs value of the finished product (including scrap, waste or byproduct) for domestic sale which is produced by an enterprise within an inward processing zone shall be determined on the basis of the value of the finished product at the time of making entry for domestic sale;
- (e) the customs values of materials and parts and the finished product (including scrap, waste or byproduct) thereof for domestic sale by a processing enterprise within a customs bonded area shall be determined on the basis of the values of materials and parts and the finished product, respectively, at the time of making entry for domestic sale. If there is content of domestic materials and parts in the finished product, the customs value of the finished product shall be determined on the basis of the value of the materials and parts thereof, which are imported at the time of importation.
- (f) the customs value of the leftover materials, which are attributable to processing, shall be determined on the basis of the value at the time of making entry for domestic sale.

Article 13 The customs value of the goods (excluding materials and parts for inward processing and the finished product thereof) which are sold from a customs bonded area or a inward processing zone or withdrawn from a customs warehouse for domestic sale shall be determined on the basis of the values verified by the customs at the time being sold from a customs bonded area or a inward processing zone or a customs warehouse. If the customs value cannot be determined by reviewing the selling price, customs administration shall determine the customs value in accordance with the provisions of Article 7 through Article 11, inclusive of the Rules.

Where the selling price does not contain the cost of storage, transport and other associated charges incurred within the area, zone or warehouse thereof, those costs and charges shall be included on base of objective and quantifiable data.

Article 14 The customs value for machine, tool, vehicle or other goods which is exported for repair, if a declaration of exportation made to Customs, and is consequently re-imported within the period required by Customs, shall be determined on the basis of the costs of repair service, the materials and parts used in the repair, and the freight, insurance and other charges for transport of re-importation.

Article 15 The customs value for goods which is exported for outward processing with a declaration of exportation made to the Customs, and is consequently re-imported within the time period required by Customs, shall be determined on the basis of the costs of outward processing and the cost of materials and parts used for the processing, and the freight, insurance and other charges for transport of re-importation.

Article 16 The customs value of the goods of temporary importation approved by customs administration shall be determined in accordance with the provisions of Article 7 through Article 11, inclusive.

Article 17 The customs value of the imported goods under a lease arrangement shall be determined in accordance with the following means:

- (a) the customs value of the goods under a lease transaction shall be determined on the basis of the rental charge paid or payable for the lease arrangement during the period thereof;

- (b) the customs value of the goods which are purchased under a lease transaction with an option of purchase shall be determined on the basis of the price under an option of purchase;
- (c) at the request of the lessee for one-off payment of customs duties and taxes and under the approval of Customs, the customs value shall be determined in accordance with the provisions of Chapter II of the Rules.

Article 18 The customs value of commercial samples, exhibitions and advertising items, which are purchased under an option of purchase, shall be determined on the basis of the price under an option of purchase.

Article 19 The customs value of the goods which were imported under the duty-exemption or duty-reduction programs and are subject to full payment of customs duties and taxes shall be determined on the basis of the value of the goods determined at the time of importation, deducting the depreciation value. The formula shall be expressed as follows:

The time accurately used
as of the application for
paying duties (in term of
months)

Customs value = Value of the goods determined at the time of importation X (1 - -----)
Statutory years for customs custody X 12

Article 20 The customs value of the imported goods through the way of barter trade, consignment, contribution, donation and etc. shall be determined in accordance with the provisions of Article 7 through Article 11 of the Rules.

Chapter IV **Customs Value of Exported Goods**

Article 21 The customs value of exported goods shall be determined by customs administration on the basis of transaction value of the goods for sale outside of the territory, including the inland freight, insurance and other charges which are collected for transporting the goods to the port of departure within the customs territory of the People's Republic of China before loading, but the customs duties and taxes, if included, shall be deducted.

The transaction value of exported goods is the price actually paid or payable by the buyer to the seller of the goods, which is sold for export outside of the customs territory of the People's Republic of China.

Article 22 Where the customs value of exported goods cannot be determined under the foregoing article, customs administration shall employ the following methods in the order to determine the customs value, which should be:

- (a) transaction value of the identical goods exported to same country or region at or about the same time;
- (b) transaction value of the similar goods exported to same country or region at or about the same time;
- (c) value calculated on the basis of cost, profit and general expense for producing the identical or similar product and charges associated with the transport and cost of insurance within the customs territory;
- (d) value determined by reasonable means.

Article 23 Any commissions paid to a person out of the customs territory, if identified separately, shall be deducted.

Chapter V

Calculation of Freight, Insurance and other Charges in the Customs Value of Imported and Exported Goods

Article 24 Freight, insurance and other charges of imported goods shall be calculated as follows:

- (a) if imported by ocean freight, the charges for transport to the unloading port within the customs territory, if the unloading port is at an inland river, to the unloading port at the inland river, shall be valued;
- (b) if imported by land carrier, the charges for transport to the first land port within the customs territory shall be valued; if paid to the port of destination, the charges for transport to the destination shall be valued;
- (c) if imported by air transportation, the charges for transport to the first airport within the customs territory shall be valued. If the destination airport is another airport other than the first one, the charges for the transport to the destination airport shall be valued.

Article 25 The freight for land, air or ocean transportation shall be determined in accordance with the charges actually paid or payable. If the freight (s) cannot be determined or do not occur at all, customs administration shall calculate the cost on the basis of the freight rate or amount published by the transportation industry at the time of importation.

Article 26 The cost of insurance for goods imported by land, air or ocean transportation shall be determined in accordance with the charges actually paid. If the insurance for imported goods cannot be determined or do not occur, customs administration shall calculate the cost of insurance on the basis of 0.3‰ of the sum of C & F.

Article 27 For the goods imported by mail, postage shall be treated as freight, insurance and other charges for transport.

Article 28 Where the goods are imported by railway or highway transportation and transacted in the term of DAF (Delivered at frontier), customs administration shall calculate the freight, insurance and other charges on the basis of 1% of the price of the goods.

Article 29 Where the imported goods are vehicles, which are transported by their motion, customs administration may not value the freight.

Article 30 The freight and insurance charges for transport from the port of departure within the customs territory to the port out of the customs territory, if included in the selling price of the exported goods, shall be deducted.

Chapter VI

Examination and Verification of Customs Value

Article 31 The consignors or consignees of the imported or exported goods are obliged to declare the transaction value to customs administration truthfully and accurately and submit documents, written and electronic data including but not limited to invoice, contract, packing list which indicate the truth and completeness in support of the declared value. Where customs administration deems necessary, the consignors or consignees shall provide customs administration

with supplemental information reflecting the relationship between the buyer and seller, transaction activities, and other information relating to the transaction value.

Article 32 To examine the truth or accuracy of the declared value, customs administration may exercise the following authorities:

- (a) to examine and reproduce contracts, invoices, books, certificates for exchange settlement and payment, documents, business correspondences and faxes and other written or electronic information reflecting the relationship and transaction between the buyer and the seller;
- (b) to interview the consignee or consignor and other enterprises having monetary and transaction relationship with the importer or exporter to inquire into the matters concerning customs value of the imported or exported goods;
- (c) to examine the goods or sample of the goods for examination and test;
- (d) to enter into the importer's or exporter's premise and storage facilities to examine the goods and operations relating to imported or exported goods;
- (e) to inquire of the relevant financial institutions to submit information relating to collection and payment for imported or exported goods, and to inquire of national tax authorities about the internal tax consequence of the imported and exported goods thereof.

When customs administration exercises the above authorities, the importer, exporter or relevant entities are obligated to provide true information, book of account and other relevant documentation evidence in written or electronic forms. No refusal, delay or concealment is allowed.

Article 33 When doubting the truth or accuracy of the declared value, customs administration shall issue a written notice to the importer or exporter with the grounds for doubts and ask for further explanation in written form, including related documents or other evidence that could demonstrate the truth or accuracy of the declared value. If, within 15 days from the date of issuance of the notice, the importer or exporter fails to provide further explanation or the customs administration, after examining the document or evidence provided, still has reasonable doubts about the truth or accuracy of the declared value, customs administration may refuse to accept the declared value and determine the customs value in accordance with the provisions in Article 7 to Article 11 or Article 22.

Article 34 When believing with grounds that the relationship between the buyer and seller influenced the transaction value, customs administration shall issue a written notice to the importer with the grounds for belief and ask for further explanation in written form, including documents or other evidence, that could demonstrate the declared value is not influenced by the relationship between the buyer and seller. If, within 15 days from the date of issuance of the notice, the importer fails to provide further information or the customs administration still, after examining the document or evidence provided, has reasonable doubts that, the relationship between the buyer and seller did influence the transaction value, customs administration may refuse to accept the declared value and determine the customs value in accordance with the provisions in Article 7 to Article 11.

Article 35 Where customs administration refuse to accept the declared value as customs value and decide to determine the customs value under the provisions of Article 8 or Article 22 (a) and (b), customs administration may consult over price with the importer or exporter to acquire the appropriate transaction value of the identical or similar goods.

Article 36 Upon written request, the importer or exporter shall have the right to ask for an explanation in writing from the customs administration as to how the customs value of the imported or exported goods was determined.

Article 37 Where customs administration decides that the determination of customs value needs to be postponed, the importer or exporter may, after submitting a guarantee according to the relevant regulations, request the goods be released from customs custody. Customs administration

shall complete, within 90 days from the date of submitting guarantee, the verification of the goods released under a customs bond and send a notice regarding the conclusion to the importer or exporter.

Article 38 customs administration shall keep confidential of the information, which is proprietary information provided by the buyer, the seller or other parties relating to the transaction.

Article 39 The importer or exporter who dissent from the decision of the customs administration on the customs valuation may apply for appeal in accordance with the relevant provisions of the *Customs Law of the People's Republic of China* and the *Regulations on Import and Export Tariff of the People's Republic of China*.

Chapter VII

Legal Responsibilities

Article 40 Any action in violation of the Rules shall be dealt with by customs administration in accordance with the *Customs Law of the People's Republic of China* and the *Implementing Regulations on Imposing Administrative Penalties under the Customs Law of the People's Republic of China*. Where the violation constitutes criminal, it shall be referred to judicial authorities and be subject to criminal penalty according to relevant laws.

Chapter VIII

Supplementary Provisions

Article 41 Terms used in the Rules are defined as follows:

“customs territory” referred to the customs territory of the People's Republic of China.

“Price actually paid or payable” means the total payment, as a condition for the sale of the imported goods from the seller, directly or indirectly made, or to be made, by the buyer to or for the benefit of the seller to the third party.

“Buying commissions,” means any fees paid by a buyer to the buyer's agent for the service in the purchase of the imported goods.

“Brokerage fees” means any service fee paid by the buyer to the broker on behalf of the interests of both the buyer and the seller for the service in the purchase of the imported goods.

“Royalties and license fees” means the fees paid by the buyer for the right to use copyrights, patents, trademarks, know-how and other rights relating to the imported goods. However, in determining customs value, the fees for the right to reproduce the imported goods within the customs territory shall not be added into the price actually paid or payable.

“Identical goods” means goods produced in same country or region, which are the same in all respects, including physical characteristics, quality and reputation. However, minor differences in appearance would not preclude goods otherwise conforming to the definition from being regarded as identical.

“Similar goods” means goods produced in same country or region which, although not alike in all respects, have like characteristic and like component materials which enable them to perform the same functions and to be commercially interchangeable.

"About the same time" means within 45 days before or after the date of entry of the imported goods being valued.

“Generally accepted accounting principles” refers to any accounting principle, norm and method generally recognized in relevant country, including accrual method, matching method, historical cost method and division of revenue expenditure and capital expenditure method which are related to the value of the goods.

Article 42 The buyer and seller shall be deemed to be related only if:

- (a) they are the members of the same family;
- (b) they are officers or directors of one another's businesses;
- (c) one party directly or indirectly controls the other party;
- (d) both of them are directly or indirectly controlled by a third party;
- (e) together they directly or indirectly control a third party;
- (f) one party directly or indirectly owns, controls or holds 5 percent or more of the outstanding voting stock or shares of the other party;
- (g) one party is an employee, officer or director of the other party; or
- (f) the buyer and seller are legally recognized partners in business.

If the buyer and seller are associated in business with each other in that one is the sole agent, sole distributor or sole concessionaire of the other, they, if fall within the criteria of the foregoing paragraphs, shall be deemed to be related.

Article 43 The “profit and general expenses” referred to in Article 9 of the Rules is to be determined on the basis of the information supplied by the importer. If the importer's figures are inconsistent with those usually reflected in sales of goods of the same class or kind as the goods being sold within the customs territory, it shall be determined on the basis of the latter.

“General expenses” include direct and indirect expenses relating to sale of the goods.

“Value-added from further processing” shall be calculated on the basis of objective and quantifiable data relating to the cost of such work, generally accepted standards, calculation methods and other practices of the industry

Article 44 “The cost or value of materials and fabrication or other processing” referred in Article 10 of the Rules shall be determined on the basis of books regarding the production of the imported goods, which are provided by the producer out of the customs territory.

“Profits and general expenses” shall be determined on the basis of the information provided by the producer out of the customs territory. If the information provided by the producer out of the customs territory is inconsistent with those of goods of the same class or kind sold by producer to the customs territory, the profit and general expenses can be determined on the basis of other information by the customs administration.

“General expenses” include direct and indirect costs for producing and selling the goods.

Article 45 The Rules are not applicable to determine the customs value of passenger effects, personal postal articles and other personal effects allowed to be imported, or the dutiable value of the imported or exported goods or articles under suspicion of smuggling. The customs value of such goods or articles shall be determined under the regulations otherwise provided by General Administration of Customs of the People's Republic of China.

Article 46 General Administration of Customs of the People's Republic of China is authorized to interpret the Rules.

Article 47 The Rules shall come into force on January 1, 2002, where upon the *Regulations of General Administration of Customs of the People's Republic of China Regarding Determination on Customs Value for Imported and Exported Goods* effective on September 1, 1992 and the *Regulations of General Administration of Customs of the People's Republic of China Regarding Determination of Customs Value for Imported and Exported goods under Inward Processing* effective on October 1, 1999 shall be invalid.
