

Unofficial translation - Measures of the Customs of the People's Republic of China for the Supervision of Goods in Transit (Decree No. 260 of the General Administration of Customs)

(Promulgated by Order No. 260 of the General Administration of Customs on September 26, 2022 and effective from November 1, 2022)

Article 1

In order to strengthen customs supervision and management of goods in transit, safeguard national sovereignty, security and interests, and promote trade facilitation, according to the Customs Law of the People's Republic of China, the Biological Security Law of the People's Republic of China, These Measures are formulated in accordance with the relevant provisions of the Plant Quarantine Law and its implementation regulations, the Frontier Health and Quarantine Law of the People's Republic of China and its implementation rules, and relevant laws and regulations.

Article 2

The term "transit goods" as mentioned in these Measures refers to goods that arrive from abroad and continue to be transported abroad through land routes in China.

The goods in transit of countries or regions that have concluded or jointly participated in international treaties and agreements containing goods transit provisions with China shall be allowed to transit in accordance with the provisions of the relevant treaties and agreements. Other goods in transit shall be allowed to transit after being approved by the competent departments of commerce and transportation of the state and filed with the Customs at the place of entry. Where laws and regulations provide otherwise, those provisions shall prevail.

Article 3

The following goods are prohibited from transit:

- (1) Goods from or destined for countries or regions where trade is suspended or prohibited by China;
- (2) Weapons, ammunition, explosives and military supplies, except those transported through military channels;
- (3) Strong poisons, narcotics, opium, morphine, heroin, cocaine and other drugs;
- (4) Hazardous waste and radioactive waste;

(5) special items such as microorganisms, human tissues, biological products, blood and its products;

(6) Invasive alien species;

(7) Ivory and other endangered animals and plants and their products, unless otherwise stipulated by law;

(8) Items prohibited from entering the country stipulated in the "Law of the People's Republic of China on Entry and Exit Animal and Plant Quarantine", unless otherwise stipulated by law;

(9) Harmful to China's politics, economy, culture, and morality;

(10) Other goods that are prohibited from being transited by national regulations.

Article 4

Transit goods shall be subject to customs supervision from entry to exit.

For goods in transit, without the approval of the customs, no organisation or individual is allowed to open, pick up, deliver, ship, exchange, refit, mortgage, pledge, lien, transfer, replace the mark, use it for other purposes or otherwise dispose of it. Animals, plants, animal and plant products and other quarantine objects shall not be unloaded from the means of transport without customs approval during the transit period.

Article 5

The person in charge of the means of transport responsible for the domestic transport of transit goods (hereinafter referred to as the "person in charge of the means of transport") shall obtain the approval of the relevant state departments to carry out the business of transporting goods in transit, and shall file a record with the customs in accordance with regulations.

Article 6

Transit goods shall be transported according to the route specified by the competent department of transportation from the time of entry to the time of exit. If there is no regulation by the competent department of transportation, it shall be stipulated by the customs.

Animals transported across the border shall be transported according to the route specified by the customs.

Article 7

Transit animals and other transit goods that have been evaluated as high-risk biosecurity shall enter the country through designated ports.

Article 8

The person in charge of the means of transport shall submit a declaration form for transit cargo transportation and make a truthful declaration to the Customs at the place of entry.

If the goods in transit are animals, plants, animal or plant products, or other quarantine objects, they shall submit the quarantine certificate issued by the animal and plant quarantine authority of the exporting country or region; if the goods in transit are animals, they shall also submit the Animal Transit Permit issued by the Customs at the same time; If the goods are dual-use items and other state-restricted transit goods, relevant permits shall be submitted.

Article 9

Transit goods may be transported through the territory of the country of entry upon examination and approval by the customs at the place of entry. Those that need to be quarantined in accordance with the law should be transported through the border after passing the quarantine. Carcasses, excrement, bedding materials and other wastes of transit animals must be disposed of in accordance with the law and shall not be discarded without authorization.

Transit goods can only be transported out of the country after they arrive at the place of exit and are written off by the customs at the place of exit.

Article 10

Transit goods shall not be transported in vans or containers with other inbound and outbound goods and articles.

Article 11

The customs may seal the domestic means of transport or containers carrying transit goods, and no one may open or damage them without authorization.

Article 12

If transit goods need to be repacked with means of transport or containers after they leave the place of entry and before arriving at the place of exit, the person in charge of the means of transport shall declare to the Customs at the place of reloading for handling the procedures for reloading during transit transport.

Transit goods should be reloaded in warehouses or places designated or approved by the customs, and dangerous chemicals and dangerous goods should be reloaded in places approved by relevant departments with safe operation conditions.

Article 13

For transit goods with a full waybill, if it is necessary to reload the means of transport or container during domestic transportation, the person in charge of the means of transport may apply to the Customs at the entry point and the Customs at the place of reloading for transit transport and reloading procedures at one time.

Article 14

Customs may send personnel to escort transit goods according to work needs, and the person in charge of the means of transport shall provide convenience.

Article 15

When the customs deem it necessary, it may inspect the goods in transit, and the person in charge of the means of transport shall be present to cooperate.

Article 16

Except for reasons of force majeure, if the goods in transit are lost or in underloading within the territory, the person in charge of the means of transport shall go through the relevant customs formalities with the customs at the place of entry.

Article 17

Transit goods that have not been declared to the customs for more than three months from the date of declaration of entry by means of transport shall be deemed imported goods and shall be handled in accordance with the relevant provisions of the "Customs Law of the People's Republic of China" and other laws and regulations.

Article 18

Transit goods shall be transported out of the country within six months from the date of declaration of entry by means of transport; under special circumstances, an extension may be granted with the consent of the customs at the place of entry, but the extension period shall not exceed three months.

If the goods in transit have not been transported out of the country for more than three months after the time limit specified in the preceding paragraph, the customs shall withdraw them and sell them off according to law. Where laws and regulations provide otherwise, those provisions shall prevail.

Article 19

Transit goods are not included in the statistics of import and export goods trade, and the customs shall carry out individual statistics.

Article 20

If the goods in transit are not declared or the declaration is false, the customs may give a warning or impose a fine of not more than 30,000 yuan.

Other violations of these Measures shall be punished by the Customs in accordance with relevant laws and regulations; if a crime is constituted, criminal responsibility shall be investigated according to law.

Article 21

The General Administration of Customs is responsible for the interpretation of these measures.

Article 22

These Measures shall come into force on November 1, 2022. The Customs of the People's Republic of China promulgated by Order No. 38 of the General Administration of Customs on September 1, 1992, revised in accordance with Order No. 198 of the General Administration of Customs on November 26, 2010, and revised by Order No. The "Measures for the Supervision of Goods in Transit" will be abolished at the same time.