



**Voluntary Report** – Voluntary - Public Distribution **Date:** May 12,2020

Report Number: CH2020-0059

Report Name: China Revises Step-By-Step Tariff Exclusion Guide

Country: China - Peoples Republic of

Post: Beijing

Report Category: Trade Policy Monitoring

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## **Report Highlights:**

On April 17, 2020, China's State Council Tariff Commission (SCCTC) published a revised version of the Step-By-Step Tariff Exclusion Guide. This original guide was described in GAIN Report CH2020-0024 (China Publishes Step-By-Step Tariff Exclusion Guide). Included in this GAIN report is an unofficial English translation of the revised guide. Notable revisions include additional instructions on how to modify, withdraw, and delete tariff exclusion applications.

#### **Executive Summary:**

In order to increase imports of U.S. agricultural products, China established a new tariff exclusion process that would exclude successful applicants from the additional tariffs China placed on imports of U.S. products in retaliation for the U.S. Section 301 Action. Unlike previous tariff exclusions, this process is only open to Chinese importers and exclusions are applied individually. Furthermore, this tariff exclusion process requires applicants to submit monthly procurement plans and transaction feedback information. This information is all managed through SCCTC's web-based portal, accessible here: <a href="https://gszx.mof.gov.cn/">https://gszx.mof.gov.cn/</a>.

As a result of the increased interaction with the tariff exclusion system, SCCTC published several guidance documents on its website. A number of these guidance documents have been translated and published in GAIN reports, including:

- GAIN Report CH2020-0017: China Announced a New Round of Tariff Exclusions. This report contains a translation of the announcement, a table of the 696 enumerated tariff lines associated with this round, and a translated Q&A document from the Ministry of Finance.
- <u>GAIN Report CH2020-0024: China Publishes Step-By-Step Tariff Exclusion Guide.</u> This step-by-step guide was published on February 28, 2020.
- GAIN Report CH2020-0032: China Publishes Frequently Asked Questions Document on Tariff
   Exclusion Process.
   This document contains 12 frequently asked questions and answers. It was published on March 11, 2020.

On April 17, 2020, SCCTC replaced the Feb 28 and March 11 documents with updated versions. This GAIN report contains an unofficial English translation of the updated Step-By-Step Tariff Exclusion Guide. Notable changes in this version include:

- Section 3.4: Withdrawing, modifying, or deleting a procurement plan;
- Section 4.2: Viewing the transaction records;
- Section 4.3: Modifying or deleting records transaction records; and
- Section 5.1.1: Filling in the information to be declared (to get an exclusion number).

For convenience, the translation below is marked with "\*" to denote sections that are new or revised. Please check with your Chinese importer to confirm how the revised instructions may affect individual circumstances.

## (Begin unofficial translation)

# Instructions on Application for Exclusion from Additional Tariffs on Market-based Procurement of US Products

## **Application System for Exclusion from Additional Tariffs on US Products**

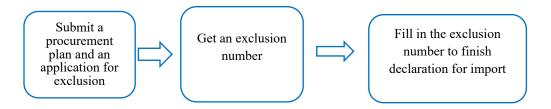
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#### Preface

In order to better meet the growing needs of Chinese consumers and expedite the acceptance of the enterprises' applications for exclusions, according to the Notice of the State Council Tariff Commission of Exclusion from Additional Tariffs on Market-based Procurement of U.S. Products (SCCTC Notice [2020] No. 2), it is decided to implement exclusion from additional tariffs on market-based procurement of US products. Upon the applications of relevant domestic enterprises, the products that meet relevant conditions and are imported from the U.S. based on the principles of market and commercialization will not be subject to the additional tariffs as the countermeasures against US-Section 301 measures for a certain period of time.

On the basis of the exclusion already carried out, the exclusion procedures for market-based procurement will be optimized to serve the enterprises and give full play to the role of the market, supporting the enterprises to independently purchase and import U.S. products in accordance with the principles of market and commercialization. The application for exclusion consists of three steps:

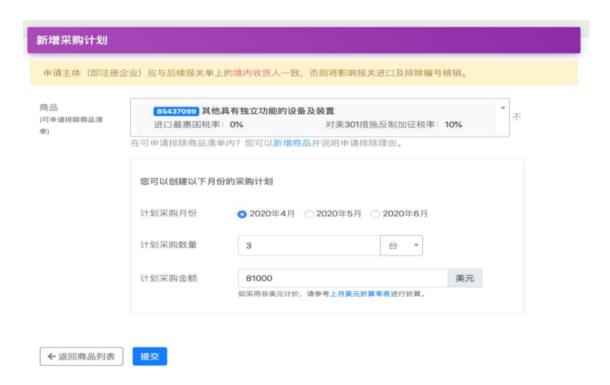


Take an enterprise that intends to purchase and import flight data recorders from the US as an example:

#### Step 1: Submit a procurement plan and an application for exclusion.

The flight data recorder is a product under "85437099 Other Equipment and Devices with Independent Functions" in the List of Commodities Eligible for Exclusion from Additional Tariffs. The enterprise only needs to select the 8-digit tariff line (HS code) and the proposed procurement month in the Application System for Exclusion from Additional Tariffs on U.S. Products (hereinafter referred to as "the exclusion application system"), and fill in the quantity and value of the proposed procurement, before submitting an application for exclusion. According to the application submitted by the enterprise, the State Council Tariff Commission (SCCTC), in conjunction with the information of applications for exclusion from the first round or second round of additional tariffs on U.S. products, will organize and

expedite the review of the valid application according to relevant review procedures, and provide feedbacks through the exclusion application system.



Upon approval, the enterprise shall provide feedback of necessary information such as the value of the transaction on time. The procurement plan that has not been completed will automatically become invalid. For the transaction completed within the procurement plan, the enterprise can move on to the next step upon submission.



Step 2: Get an exclusion number.

The enterprise shall select the corresponding record of transactions based on the information to be declared and fill in the product name "flight data recorder". After confirming the relevant information for the product within the value recorded, an exclusion number will be received.





**Step 3: Declare for import.** 

The enterprise shall fill in the exclusion number on the customs declaration and carry out declaration for import in accordance with relevant customs regulations.

Relevant enterprises are encouraged to strengthen the organization and management of the exclusion, implement the exclusion in accordance with relevant regulations and steps, and fill out the application truthfully, which is conducive to approval and timely feedback for the application.

**Chapter I: User Registration and Login** 

#### 1.1 User registration

As the applicant, the enterprise can register as a user of the exclusion application system at the website of the Tariff Policy Research Center of the Ministry of Finance (https://gszx.mof.gov.cn).

As a new user of the exclusion application system, click on "Register" button to enter the registration page.

Tips: The applicant (i.e. the registered enterprise) shall be consistent with the domestic consignee indicated on the subsequent customs declaration, otherwise declaration for import and write-off of exclusion number will be affected.

Fill in the unified social credit code and mobile phone number on the registration page and click on "Get a Security Code".

Fill in the security code received by mobile phone correctly and click on "Register". The system will prompt that the new user has been successfully registered.

The enterprise that has previously registered for exclusion application can use the original user account.

Tips: In case of any failure to receive an SMS in time due to weak communication or network signal, you can try again. If the application is affected due to browser incompatibility, it is recommended to use IE11 or above or a browser based on Chrome kernel (webkit).

**Unified Social Credit Code:** 18-digit national unified credit codes for legal persons and other organizations.

**User Account (Mobile Phone Number):** The identity for user login. This mobile phone number is used to receive a security code for each login, as well as the SMS sent by the system. It is recommended to use the mobile phone number of the specific person who submits the application.

**Security Code:** It is valid for 5 minutes, after which, a new one is required.

## 1.2 User login

The user shall fill in the registered mobile phone number, click on "Get a Security Code", check the SMS received by the mobile phone, fill in the security code in the system correctly, and click on "Login" to enter the system.

**User Account (Mobile Phone Number):** The identity for user login. This mobile phone number is used to receive a security code for each login, as well as the SMS sent by the system. It is recommended to use the mobile phone number of the specific person who submits the application.

**Security Code:** It is valid for 5 minutes, after which, a new one is required.

**Chapter II: Corporate Information and Legal Statement** 

2.1 Corporate information

The newly registered user shall enter the corporate information page directly at the first login, to fill in

the basic corporate information and contact information and upload a scanned copy of the business

license.

Tips: When filling in the above information, you can click on "Temporary Save" at any time to save the

information that is filled in to avoid any loss of information. A page fault will occur when there is no

system operation within 30 minutes, which then requires re-login.

2.1.1 Basic corporate information

**Unified Social Credit Code:** Displayed automatically.

Name of Enterprise: Required. The full name of the enterprise.

Name of Enterprise Group Involved: Required. The name of the enterprise group. Fill in "N/A" if not

applicable.

Name of Industry Association Involved: Required. The name of the industry association involved. Fill

in "N/A" if not applicable.

Scope of Main Business: Required. The scope of main business shall be filled in according to

information on the business license.

Classification of National Economic Industries: Required. Please fill in the classification according to

national standards (GBA4754-2017).

Type of Enterprise Registration: Required. The type of registration of an enterprise or an enterprise

industry activity unit shall be truthfully filled in according to the type of registration carried out at the

industrial and commercial administration authority.

2.1.2 Contact Information

Name: Required. The name of the enterprise contact. It is suggested to provide relevant information of

the specific person who submits the application.

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Mobile Phone Number: Required. It may be different from the user account.

Land phone Number: Optional. The land phone number of the corporate contact.

**E-mail:** Required. The e-mail of the corporate contact.

**Position:** Required. The specific position of the corporate contact, as well as the specific department where he/she works.

#### 2.1.3 Business license

**Business License:** Upload a scanned copy of the original (duplicate) of the business license, or a photocopy with the official seal. jpg, jpeg, and png formats are accepted, with file size up to 10M.

## 2.2 Legal statement

#### 2.2.1 A new user uploads a legal statement

After providing the company name on the corporate information page, the new user can click on "Generate Legal Statement" to download a legal statement.

Upload a scanned copy of the legal statement bearing the signature of the legal representative and the official seal to the corporate information page. png, jpg, jpeg, and pdf formats are accepted, with single file size up to 10M.

After uploading, click on "Submit" to submit the corporate information and the legal statement.

After the corporate information and the legal statement have been approved, the user can apply for exclusion on market-based procurement.

If the corporate information and the legal statement are rejected, please check based on the feedbacks whether the information provided is consistent with the business license, whether the legal statement is correct, whether the official seal is clear and correct, and submit again accordingly.

## 2.2.2 A registered user uploads a legal statement

After the exclusion application function is enabled, the registered user will enter the function selection page at the first login.

Click on "Application for Exclusion from the First Round or Second Round" to view the results of the applications for exclusion from the first round or second round of additional tariffs on US products.

Click on "Application for Exclusion on Market-based Procurement" to apply for exclusion on market-based procurement.

After entering "Application for Exclusion on Market-based Procurement", the system will automatically prompt to download a legal statement.

Upload a scanned copy of the legal statement bearing the signature of the legal representative and the official seal to the corporate information page. png, jpg, jpeg, and pdf formats are accepted, with single file size up to 10M. After uploading, click on "Submit" to submit the legal statement.

After the legal statement has been approved, the user can apply for exclusion on market-based procurement.

If the legal statement is rejected, please check based on the feedbacks whether the legal statement is correct and whether the official seal is clear and correct and submit again accordingly.

## **Chapter III: Procurement Plan**

After the user logs in to the system, if the corporate information and the legal statement have been approved, the icon for application for exclusion on market-based procurement will be displayed.

Click on "I Want to Apply" to enter the product list.

## 3.1 Add a new procurement plan

Click on "Procurement Plan and Record of Transactions" on the left menu bar to enter the product list.

If you have not created any procurement plan for such product before, click on "Add a New Procurement Plan" to enter the new procurement plan page.

If you have previously created a procurement plan for that product, select "Add a Procurement Plan for XX (Month) XX (Year)" under the corresponding product.

The products to be excluded are all represented by 8-digit tariff lines.

You can enter the abbreviations or tariff lines of the products in the search box for fuzzy query.

1) If the product for which you are applying is within the List of Commodities Eligible for Exclusion from Additional Tariffs, upon query, its tariff line and product information will be displayed directly. You can select it and move on to the next step.

If the product in the list is under the same 8-digit tariff line of a product that has been included in the list of exclusion from the first round or second round of additional tariffs on US products, the exclusion information will also be displayed upon query.

## For example:

The medical linear accelerator under the 8-digit tariff line 90221400 (the 10-digit tariff line 9022140010) has been included in the list of exclusion from the first round or second round of additional tariffs on US products. If it is to be imported before September 16, 2020, no additional tariffs as the countermeasures against US-Section 301 measures apply, and no application for exclusion on market-based procurement is required.

Therefore, if the product for which you are applying is a medical linear accelerator under the 8-digit tariff line 90221400, and will be declared for import before September 16, 2020, there is no need to submit an application for exclusion on market-based procurement; it will be excluded within the above-mentioned period.

If the product for which you are applying is a medical linear accelerator under the 8-digit tariff line 90221400, but will be declared for import after September 16, 2020, you will be required to submit an application for exclusion on market-based procurement.

If the product for which you are applying is a product under the 8-digit tariff line 90221400 (Other Medical, Surgical or Veterinary X-ray Application Equipment), other than a medical linear accelerator, you will be required to submit an application for exclusion on market-based procurement.

2) If the product for which you are applying is not included in the list, you can click on "Add a New Product" when prompted.

Tips: The products imported from the US under import tariff reduction or exemption policies or products imported through express services will be automatically excluded without application. For details about customs clearance, please refer to the General Administration of Customs Notice [2020]

No. 36 (Notice on Customs Clearance for Exclusion from Additional Tariffs on Market-based Procurement of US Products).

Tips: The 8-digit tariff lines refer to the tariff lines listed in the Import and Export Tariffs of the People's Republic of China (2020) (SCTC Notice [2019] No. 9).

## 3.1.1 Add a new procurement plan for a product included in the list

The enterprise can select the proposed procurement month and fill in the quantity and value of the proposed procurement in the new procurement plan page.

## 1) Proposed procurement month

The procurement plans of the current month, the next month and the third month can be submitted in the current month. Taking April for example, the procurement plans of April, May and June can be submitted during the period from April 1 to 30.

Procurement information of a transaction which has been concluded but has not been declared for import can also be submitted in the current month if it is the first submission. Taking the first submission in April as an example, from April 1 to 30, procurement information of a transaction that has been concluded but has not been declared for import can be submitted, and April shall be selected as the proposed procurement month.

Tips: The proposed procurement month refers to the month in which the enterprise intends to trade the product. The "trade" here refers to the establishment of a buyer-seller relationship with the supplier via e-mail, SMS or by other means, to purchase a product in a certain quantity/value from the supplier (maybe before signing a formal contract).

Tips: The procurement plan for each 8-digit tariff line can be submitted once a month. In the month of the first submission, it is recommended to summarize the procurement information of the products under the tariff line that have been traded but have not yet been declared for import, and prepare and submit the procurement plans for all such products for that month. If modifications are to be made, refer to Para. 3.4 for operational procedures.

## (2) Quantity to be purchased

Please fill in the quantity of the procurement as planned. Click on "Unit" to select a common unit or other with specific name of the unit. The quantity of the proposed procurement contains up to 5 digits after the decimal point.

## 3) Value of proposed procurement

Please fill in the value of procurement as planned, which will serve as a criterion for all aspects in the application for exclusion, as well as for the declaration for import and write-off. The quantity of the procurement planned contains up to 2 digits after the decimal point.

The value of procurement will be provided in USD by default. To use any other currency, please fill in the equivalent value in USD converted at the rate of last month issued by the State Administration of Foreign Exchange.

Tips: Please fill in the quantity and value truthfully according to the procurement plan. If the approved procurement plan deviates significantly from the actual transactions or imports, the enterprise may make an explanation. Failure to do so or false transaction information will lead to measures such as suspension of acceptance of the application.

After clicking on "Submit" button and confirming the submission, you will see a prompt "Submitted for Review". The result of the review will be sent to the registered mobile phone number by SMS. The enterprise can also log in to the system to view the result at any time.

## 3.1.2 Add a new procurement plan for a product excluded from the list

Click on "Add a New Product" to enter the new product page.

After entering the 8-digit tariff line of the product, click on "Next", and a prompt will be made according to the condition of the product.

1) Enter the new product page and create a procurement plan page.

Please fill in the reasons for application for the new product within 400 word, such as the difficulty in looking for alternative sources of products, the economic damage of additional tariff to the enterprise, and the negative structural influence of additional tariff on the relevant industry.

Fill in the proposed procurement month, quantity and value according to Para. 3.1.1.

- 2) If you have already created that product, you will see a prompt "Product XX has been created and cannot be re-created". You can return to the procurement plan list page and add a procurement plan under the record of that product.
- 3) If the product is included in the list and under the same 8-digit tariff line of a product that has been included in the list of products excluded from the first round or second round of additional tariffs on U.S. products, you will see a prompt "Some products XX under the 8-digit tariff line XX (the 10-digit tariff line XX) have been included in the list of exclusion from the first round or second round of additional tariffs on U.S. products. If it is to be imported before XX, XX, no additional tariffs as the countermeasures against US-Section 301 measures apply, and no application for exclusion is required."

Please refer to Para. 3.1(1) to determine whether you need to apply for exclusion.

If an application is required, click on "I understand, continue to apply" to enter the procurement plan creation page. Please fill out according to Para. 3.1.1(1).

4) If the product is excluded from the list and under the same 8-digit tariff line of a product that has been included in the list of exclusion from the first round or second round of additional tariffs on U.S. products, you will see a prompt "Some products XX under the 8-digit tariff line XX (the 10-digit tariff line XX) have been included in the list of exclusion from the first round or second round of additional tariffs on US products. If it is to be imported before XX XX, XX, no additional tariffs as the countermeasures against U.S.-Section 301 measures apply, and no application for exclusion is required."

Please refer to Para. 3.1(1) to determine whether you need to apply for exclusion.

If an application is required, click on "I understand, continue to apply" to enter the new product and procurement plan creation page. Please fill out according to Para. 3.1.2(1).

- 5) If the product entered is not subject to the additional tariffs as the countermeasures to US-Section 301 measures, you will see a prompt "This product is not subject to the additional tariffs as the countermeasures to US-Section 301 measures, and you do not need to submit an application."
- 6) If the tariff line is incorrect, you will see a prompt "Wrong tariff line, please check and submit the correct 8-digit tariff line."

## 3.2 View the product list

Click on "Procurement Plan and Record of Transactions" on the left menu bar to view the product list.

**Serial Number:** The serial number shall be arranged in an inverted order according to the product creation date to facilitate viewing.

**Product:** The 8-digit tariff line and the abbreviation of the product.

**Date of Creation:** The date when the first procurement plan for that product is created.

**Procurement Plan:** The monthly value and review status of the product's procurement plans for the past two months. The review status includes "To Be Submitted", "In Review", "Approved" and "Rejected".

To Be Submitted: The procurement plan has not yet been submitted for review.

**In Review:** The procurement plan has been submitted and is in review.

**Approved:** The procurement plan has been approved. Please fill out the record of transactions according to Para. 4.1 after the transaction is completed.

**Rejected:** The procurement plan has been rejected, and the system will display the reasons for the rejection.

Value (USD): The total value of all the monthly procurement plans since the first submission for that product, and the total value of the transactions completed.

## **Operation:**

If you still have any procurement plan to be created, you can click on "Add a Procurement Plan for XX (Month) XX (Year)" to add a new procurement plan.

If there is no procurement plan to be created, only the procurement plans and the record of transactions will be displayed.

## 3.3 View the list of procurement plans

Click on "Procurement Plan and Record of Transactions" on the left menu bar and click on "Procurement Plan and Record of Transactions" under "Operation" on the right of the application list page to enter the procurement plan list page.

**Reason for Application**: Display the reason for the application for addition of products.

**Month of Procurement Plan:** Display the month of the procurement plan.

Quantity to be Purchased: Display the quantity to be purchased in that month.

**Value (USD):** Display the value of procurement to be completed in that month, as well as the total value of the transactions completed within the value planned.

**Date of Submission:** Display the specific date of submitting the procurement plan.

**Exclusion Period:** The exclusion period will be displayed after the procurement plan is approved.

**Tips:** The exclusion period refers to the period of declaration for import to which the exclusion measures apply. The products within the above-mentioned value of procurement will be excluded from the additional tariffs in the declaration for import within such period. If the products for which you are applying cannot be declared for import within the exclusion period, please contact customer service online or via telephone.

**Review Status**: Display the review status of the procurement plan, and the date when it is approved or rejected. The review status includes "To Be Submitted", "In Review", "Approved" and "Rejected".

To Be Submitted: The procurement plan has not yet been submitted for review.

**In review:** The procurement plan has been submitted and is in review.

**Approved:** The procurement plan has been approved.

**Rejected:** The procurement plan has been rejected, and the system will display the reasons for the rejection.

**Operation:** If it is in review, the newly added procurement plan can be withdrawn. After withdrawal, the status of "in review" is changed to "To Be Submitted", so that the procurement plan can be modified or deleted.\*

If it has been approved, the transaction record can be transmitted. The procurement plan can be modified or deleted, and the viewing of the modification record is also allowed.\*

If it has been rejected, the procurement plan can be modified or deleted.\*

## 3.4 Withdraw, modify or delete the procurement plan

Click on "Procurement Plan and Record of Transactions" on the left menu bar and click on "Procurement Plan and Record of Transactions" under "Operation" on the right of the application list page to enter the procurement plan list page.\*

(1) The procurement plan can be withdrawn and can be modified or deleted after withdrawal if it is in the status of "in review" and is a newly added one.

**Withdrawal:** Click on "Withdraw the Procurement Plan", and then the procurement plan can be modified or deleted after the status of the procurement plan is changed to the status of "To Be Submitted".\*

**Modification:** Click on "Modify the Procurement Plan" to enter the new procurement plan page. After modifying the quantity and value of procurement and other information, click on "Submit" to resubmit the procurement plan for review. If the value of the proposed procurement is too large, the system will prompt you to fill in the explanation for the value of the procurement and complete the modification after approval.\*

**Deletion:** Click on "Delete the Procurement Plan", and then click on "Confirm Deletion" to complete the operation.\*

**Tips:** The modified quantity and value of the proposed procurement planned must be larger than zero. The modified value of proposed procurement shall not be less than the value on the transaction record that has already been transmitted. The procurement plan which was added according to the additional excess transaction record can still be viewed in the procurement plan list.\*

**Tips:** All transaction records under the procurement plan should be deleted before the procurement plan is deleted. It is not required to fill in the reason for deletion of the procurement plan in the status of "To Be Submitted". The procurement plan cannot be resumed upon deletion.\*

2) If the procurement plan is in the status of "Approved", please transmit back the transaction record in reference to Para. 4.1 after transaction is concluded. And you can modify or delete the procurement plan.\*

Modification: Click on "Modify the Procurement Plan" to enter the procurement plan modifying page.\*

Please fill in the reasons for modification within 200 words. To adjust the quantity and value, you can select "Increase" or "Decrease" of the quantity and value of the proposed procurement, and the modified quantity and value will be automatically displayed. Resubmit the procurement plan for review by clicking "Submit". If the value of the added procurement planned is too large, the system will prompt you to fill in the explanation for the value of procurement and complete the modification after approval.\*

After the procurement plan is successfully modified, click on "View the Modification Record" on the right operation bar of the procurement plan list to enter the procurement plan modification record page to view the creation time of the procurement plan, the reason for modification, the adjustment of the quantity and value of procurement, the review status of the procurement plan item by item. If the review status shows "Rejected", you can click on "Modify" on the right operation bar. Refer to operation in Para. 3.4(2), and then resubmit the procurement plan for review.\*

**Deletion:** Click on "Delete the Procurement Plan" and click on "Confirm Deletion" after confirming the information of the procurement plan to be deleted to complete operation.\*

Tips: The modified quantity to be purchased and value of procurement planned must be larger than zero. The modified value of the proposed procurement shall not be less than the value on the transaction record that has already been transmitted. The procurement plan which was added according to the additional excess transaction record can still be viewed in the procurement plan list.\*

Tips: All transaction conclusion records under the procurement plan should be deleted before the procurement plan is deleted. It is not required to fill in the reason for deletion of the procurement plan in the status of "Approved". The procurement plan cannot be resumed once deleted.\*

3) If the procurement plan is in the status of "Rejected", modification or deletion is allowed.\*

**Modification:** Click on "Modify the Procurement Plan" to enter the new procurement plan page. After modifying the quantity and value of procurement and other information, the enterprise shall click on "Submit" to resubmit the procurement plan for review. If the value of the added procurement planned is too large, the explanation for the value of procurement shall be filled in before the procurement plan is submitted for review.\*

**Deletion:** Click on "Delete the Procurement Plan" and click on "Confirm Deletion" to complete operation after filling in the reason for deletion.\*

Tips: The modified quantity to be purchased and value of procurement planned must be larger than zero. The modified value of the proposed procurement shall not be less than the value on the transaction record that has already been transmitted. The procurement plan which was added according to the additional excess transaction record can still be viewed in the procurement plan list.\*

Tips: All transaction conclusion records under the procurement plan should be deleted before the procurement plan is deleted. It is not required to fill in the reason for deletion of the procurement plan in the status of "Rejected". The procurement plan cannot be resumed once deleted.\*

Click on "Back to Product List" in the lower left to return to the product list page.\*

#### **Chapter IV: Record of Transactions**

#### 4.1 Feedback on record of transactions

Click on "Procurement Plan and Record of Transactions" on the left menu bar, click on "Procurement Plan and Record of Transactions" under "Operation" on the right of the product list page to enter the procurement plan list page, and click on "Feedback on record of transactions" on the right of the procurement plan of specific month to enter the new record of transactions page.

Tips: The "transaction" here refers to the establishment of a buyer-seller relationship with the supplier via e-mail, SMS or by other means, to purchase a product in a certain quantity/value from the supplier (maybe before signing a formal contract). For one 8-digit tariff line, one transaction may correspond to several contracts subsequently. Such contracts can be totaled up for submission, rather than submitted one by one.

If no procurement plan has been created before, please submit a procurement plan according to Para. 3.1 before adding a new record of transactions; if the procurement plan has not been approved, please add a new record of transactions after approval.

For the procurement plan of the current month, the record of transactions shall be transmitted before the 10th day of next month, and the transactions not completed will automatically become invalid. For example: the approved procurement plan for March is USD 1 million in value; according to the feedback provided by the enterprise through the exclusion application system, the transactions completed between April 1 and May 10 are USD 0.6 million in value; on May 11, the transactions not completed which is USD 0.4 million in value will become invalid, so the enterprise's approved procurement plan for March is actually USD 0.6 million in value.

**Date of Transaction:** Required. Please fill in the date of transaction agreed with the supplier, in Beijing time, which can only be a date in the month of the procurement plan. For example: the procurement plan is for April, and the date of transaction can only be selected between April 1 and the date of submission. If it is the first submission, the information of the procurement that has been completed but has not yet been declared for import can be submitted.

For example: If the first submission occurs in April, for the record of transactions corresponding to the procurement plan for April, the date of transaction can be selected between historic date and the date of submission.

**Supplier Name:** Required. Please fill in the name of the supplier with whom the negotiation is conducted. If there are several suppliers, all of them shall be provided, separated by semicolons (;).

**Quantity of Transaction:** Required. Please fill in truthfully the total quantity of products to be traded as agreed. The quantity of transaction contains up to 5 digits after the decimal point.

Value of Transaction: Required. Please fill in truthfully the total value of the products to be traded as agreed, which will serve as a criterion for all aspects in the application for exclusion, as well as for the declaration for import and write-off. The value of transaction contains up to 2 digits after the decimal point and is in USD by default. To use any other currency, please fill in the equivalent value in USD converted at the rate of last month issued by the State Administration of Foreign Exchange.

**Tips:** If the value of transaction is greater than that of the procurement plan, the value of the procurement plan should be modified before the transaction record is transmitted. Please refer to operation procedures in Para. 3.4 (2).\*

**Mode of Transport:** Required. Please fill in the main mode of transport for delivering the products to China. You can choose any one in the drop-down list, including water way, railway, automobile, air, post and other means.

**Date of Shipment:** Required. Please fill in the estimated date of shipment for the products. If several dates are involved, please fill in the earliest one.

**Tips:** If there are any changes to the dates of shipment, please update in time to better connect the subsequent declaration for import.

**Transaction Documentation:** It usually refers to the relevant documents confirming a transaction with a supplier such as a contract, an e-mail or other means, which can serve as a transaction description. The user shall upload the contract, e-mail, SMS and other documents or related screenshots to confirm the transaction as appropriate. png, jpg, jpeg, and pdf formats are accepted, with file size up to 10M. If there are several files, the one with the largest value shall be uploaded.

If there is no transaction documentation, please select "N/A" under "Transaction Documentation" and describe with words the specific transaction process in detail. For example: it was notified by XX at XX (time) on XX (month) XX (day) that, manager XX of XX department communicated with XX of XX company to confirm the above procurement.

Tips: Please fill in truthfully the actual transaction information of the enterprise. False transaction information will lead to measures such as suspension of acceptance of the application.

Click on "Submit" below to complete the feedback of transaction information.

## 4.2 View the record of transactions

Click on "Procurement Plan and Record of Transactions" on the left menu bar, click on "Procurement Plan and Record of Transactions" under "Operation" on the right of the product list page to enter the procurement plan list page, and click on "View Record of Transactions" on the right of the procurement plan of specific month to enter the record of transactions list page of that month. Click on "View the

Detail of Transactions" to enter the detail page about the specific record of transactions and view the basic information about the record of transactions and information about getting the exclusion numbers.\*

1) Basic Information about the Record of Transactions

**Transaction Number:** After the record of transactions is approved, transaction numbers will be displayed, which are automatically generated by the system.

Creation Date: The creation date of the record of transactions will be displayed.\*

**Exclusion Period:** The exclusion period will be displayed after the record of transactions is approved. It refers to the period of declaration for import to which the exclusion measures apply. The products within the above-mentioned transaction value will be excluded from the additional tariffs in the declaration for import within the said period.

Tips: If the products for which you are applying cannot be declared for import within the exclusion period, please contact customer service online or via telephone.

**Date of Transaction:** The agreed date of transactions with the supplier will be displayed.

**Name of Supplier:** The name of the supplier with whom the negotiation of transactions is made will be displayed.\*

Quantity of Transaction: The quantity of the record of transactions will be displayed.\*

Transaction Value (USD): The value of the record of transactions will be displayed.\*

**Mode of Transport:** The mode of shipment of the traded products to China will be displayed.\*

**Date of Shipment:** The estimated earliest date of shipment for the traded products.

Tips: The transportation mode and date of shipment can be updated any time according to the actual situation of the enterprise.\*

**Description of Transaction:** The submitted transaction description documents will be displayed.\*

2) Information of getting an Exclusion Number

**Serial Number:** To facilitate easy viewing, the serial number will be arranged in an inverted order according to the submission date of the exclusion numbers.\*

**Details of Exclusion Number:** Click on "View" to browse the claiming information of the exclusion numbers via the record of transactions.\*

Exclusion Numbers: 18-digit exclusion numbers shall be displayed.\*

**Date of Submission:** The date on which each exclusion number is submitted by using the record of transactions shall be displayed.

**Status:** Display the status of the exclusion numbers, including "To Be Submitted", "Approved" and "Rejected".\*

"To Be Submitted": Declaration information is being filled and self-declaration is not yet submitted.\*

"Approved": The exclusion numbers are successfully received by using the record of transactions.

"Rejected": The exclusion numbers are rejected, and resubmission is required for review.

**Used Value:** The value in the record of transactions occupied by each exclusion number shall be displayed.\*

**Total Approved Value:** The total value used for getting all the exclusion numbers by using the record of transactions shall be displayed.

**Remaining Available Value:** Display the value within the record of transactions that is available for getting the exclusion numbers.\*

#### 4.3 Modify or delete record of transactions

Click on "Procurement Plan and Record of Transactions" on the left menu bar, click on "Procurement Plan and Record of Transactions" under "Operation" on the right of the product list page to enter the procurement plan list page, and click on "View Record of Transactions" on the right of the procurement plan of specific month to enter the transaction record list page of that month.\*

1) If there is a need to modify the record of transactions which has already been transmitted, you can click on "Modify Record of Transactions" on the right operation bar of the transaction record list page to

enter the page of feedback on transaction record. The enterprise can modify the transaction date, supplier name, transaction quantity, transaction value, shipment mode, date of shipment, the transaction description documents, and other information based on actual transactions. After filling in the reason for modification, you can click on "Submit" to complete modification.\*

Tips: Neither the modified transaction value of a single record of transaction nor the accumulated transaction value of multiple records of transactions shall exceed the total value of the procurement planned. The modified value of the record of transactions shall not be less than the limit used for the approved exclusion numbers. If the value of transaction is larger than the value of procurement planned due to business needs, please refer to Para. 3.4 to modify the procurement plan.\*

2) If there is a need to delete the record of transactions, click on "Delete the Record of Transactions" on the right of the transaction record list and fill in the reason for deletion. Before deleting the record of transactions, you need to delete all the exclusion numbers that you applied for with the record of transactions.\*

Tips: The record of transactions cannot be resumed once deleted.\*

## **Chapter V: Get an Exclusion Number**

#### 5.1 Get an exclusion number

Click on "Get an Exclusion Number" on the left menu bar and click on "Get an exclusion number" on the right of the exclusion number list page to enter the new exclusion number page.

Tips: Each exclusion number corresponds to one customs declaration number, i.e., one exclusion number can be put on one customs declaration only, and no more than one exclusion number can be put on one customs declaration. Please confirm before submission. If all excluded products are intended to clear import on one customs declaration, they shall be all included in the "Selected Products" under "Get an exclusion number" at one time to get one exclusion number.

#### 5.1.1 Fill in the information to be declared

1) Select the products to be declared for import.

The products that have valid records of transactions will all be displayed. If there are too many products, you can search a specific product by abbreviation or tariff line.

## 2) Select a record of transactions.

Click on "Operation" on the right of the specific product, you will be prompted to select a record of transactions.

After ticking the box associated with a record of transactions on the left, you can fill in the value used this time on the right, which is the value to be declared for import this time; you can tick "All" if the value is to be used in full. If several records of transactions are involved, you may choose more than one.

Tips: For several records of transactions with different exclusion periods, the exclusion period will start with the latest start date and end on the earliest ending date. For example: the exclusion period of Record of Transactions A is from March 2, 2020 to March 1, 2021, and that of Record of Transactions B is from April 1, 2020 to March 31, 2021. If the above two records are involved to get an exclusion number, the exclusion period for the product is from April 1, 2020 to March 1, 2021.

If the value of the product to be declared exceeds the value available, the system will prompt accordingly. Please choose from the following options as appropriate:

A. Select additional records of transactions. The product that has two or more records of transactions will be included in one customs declaration. If the records of transactions have been transmitted, choose both or all the records of transactions and fill in the corresponding values.

- B. Add a record of transactions. The product that has two or more records of transactions will be included in one customs declaration. If merely one record of transactions has been transmitted, please transmit the records of transactions in reference to Para. 4.1.
- C. Modify the record of transactions. In case that the value to be declared is greater than that of the record of transactions due to the signing of a supplementary agreement and other factors, please refer to Para. 4.3 to modify the record of transactions.\*
- D. Fill in supplementary description. Please fill in supplementary descriptions in case that the value to be declared is greater than that of the record of transactions due to foreign exchange fluctuation, "More or Less" clause and other factors.\*"

## (3) Include in the exclusion number.

Click on "Done" button and click on "Include in the Exclusion Number" to include the product and return to the new exclusion number page.

Tips: If a customs declaration involves several products excluded, please proceed according to (1)-(3) above to include other products excluded into the exclusion number.

## 4) View the selected products.

Click on "Products Selected" at the bottom of the page to view the tariff lines and abbreviations of the products selected. You can delete the wrong products, if any; in case of any omission, you can proceed to include other products.

Click on "Next" to enter the declaration information confirmation page.

#### 5.1.2 Confirm the information to be declared

The information of the products to be declared is displayed on this page, including the serial numbers, the products, the values to be declared, the exclusion periods, and supplementary descriptions, if any.

The "Product Name" shall be provided, which may be the product name in the customs declaration and the name commonly used during the procurement. For example: an enterprise purchases a flight data recorder, which is under the 8-digit tariff line "85437099 Other Equipment and Devices with Independent Functions". After selecting the specific record of transactions for product 85437099, you need to add the product name "Flight Data Recorder".

In case of any incorrect value of the product, you can click on "Modify" on the right to return to the record of transactions selection page of such product for modification.

If you need to add other products, or delete a certain product, you can click on "Back" to return to the declaration information page.

If you have included all the products to be excluded, click on "Next" to go to the self-declaration submission page.

#### 5.1.3 Submit a self-declaration

The system will automatically generate a self-declaration to get an exclusion number based on the information provided by the enterprise.

After the enterprise confirms that the information in the self-declaration is correct and acknowledges the relevant commitments, check the box below "We confirm that the above information is correct and acknowledge that the self-declaration will be included in the scope of the commitment as a legal statement", and click on "Submit Exclusion Number".

After the submission, you can view the status of the exclusion number on the exclusion number list page.

#### 5.2 View the exclusion number

Click on "Get an Exclusion Number" on the left menu bar to enter the exclusion number list page, and you can view the basic information of the exclusion number.

**Serial Number:** Sorted by exclusion numbers for ease of viewing.

**Exclusion Number:** A unique exclusion number will be generated by the system based on the self-declaration submitted by the enterprise. The exclusion number will be displayed when approved.

**Exclusion Period:** The exclusion period of the exclusion number.

**Product:** The 8-digit tariff line and abbreviation of the product to be declared.

Value (USD): The value of the product to be declared.

Tips: The exclusion period refers to the period of declaration for import to which the exclusion measures apply. The products under the above-mentioned exclusion number will be excluded from the additional tariffs in the declaration for import within such the said period. If the products for which you are applying cannot be declared for import within the exclusion period, please contact customer service online or via telephone.

Tips: If an exclusion number involves multiple products, the exclusion period will start on the latest start date, and end on the earliest ending date. For example: the exclusion period of Product A is from March 2, 2020 to March 1, 2021, and that of Product B is from April 1, 2020 to March 31, 2021. If the above

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two products are involved to get an exclusion number, the exclusion period for such exclusion number is from April 1, 2020 to March 1, 2021.

**Status:** The status of the exclusion number will be displayed, including "To Be Submitted", "Approved" and "Rejected".

"To Be Submitted": The information to be declared is getting filled in, and a self-declaration has not been submitted yet.

**Approved:** The exclusion number has been approved.

**Rejected:** The exclusion number is rejected, and resubmission is required for review. You can view the reason for rejection by hovering the mouse over "Rejected".

**Operation:** The operation part mainly has 4 functions including modification, detail viewing, viewing of the self-declaration and deletion.\*

Modification: The information of the approved exclusion number can be modified.\*

**Detail Viewing:** You can view details such as the products and the record of transactions related to the exclusion number.

**Viewing of Self-declaration:** Click on "View Self-declaration" to view and print the self-declaration to get an exclusion number.

**Deletion:** You can delete the information of the exclusion number in the status of "To Be Submitted" or "Rejected".\*

## Chapter VI: Write-off of Exclusion Number

#### 6.1 View the list of exclusion numbers written-off

If the exclusion number information is consistent with the relevant import data in the customs declaration, the exclusion application system will automatically write it off. The enterprise may click on "Write-off Exclusion Number" menu on the left, and then click on "List of Exclusion Numbers Written-off" in the upper right to view the information written off.

If the exclusion number information is inconsistent with the data declared for import, the enterprise shall assist in the write-off of the exclusion number. Click on "Write-off Exclusion Number" menu on the left, defaulting to the list of the exclusion numbers to be written off, where the basic information of the exclusion numbers to be written off and the current status of write-off are displayed.

The items of which the exclusion number information is consistent with the relevant data in the customs declaration will be displayed with , while the inconsistent information will be displayed with You can view the reasons for inconsistency by hovering the mouse over it.

**Serial Number:** Sorted by exclusion numbers for ease of viewing.

**Exclusion Number/Customs Declaration Number:** The exclusion number and the customs declaration number will be displayed according to the exclusion number filled in on the customs declaration.

**Applicant/Domestic Consignee:** Name of the applicant will be displayed according to the exclusion number, and the domestic consignee indicated on the customs declaration will be displayed according to the customs declaration number.

**Exclusion Period/Date of Declaration:** The exclusion period will be displayed according to the exclusion number, and the date of declaration indicated on the customs declaration will be displayed according to the customs declaration number.

**Product:** The tariff line of the product to be written off. You can view the reasons for inconsistency by hovering the mouse over it.

**Operation:** Click on "View and Write off" to enter the write-off page and write off the specific item with inconsistency.

#### 6.2 Write-off exclusion number

Click on "Write-off Exclusion Number" menu on the left to enter the list of exclusion numbers to be written off. Click on "View and Write off" under "Operation" on the right to enter the exclusion number write-off page.

**Exclusion Number:** The exclusion number that has been used for declaration for import.

**Customs Declaration Number:** The customs declaration number on which the above exclusion number has been filled in.

**Date of Creation:** The date when the exclusion number is created.

Exclusion Period/Date of Declaration: The exclusion period will be displayed according to the exclusion number, and the date of declaration indicated on the customs declaration will be displayed according to the customs declaration number. Click on "Exclusion Period/Date of Declaration", and then "Write off" to enter the specific write-off page. Please write off as instructed.

**Applicant/Domestic Consignee:** Name of the applicant will be displayed according to the exclusion number, and the domestic consignee indicated on the customs declaration will be displayed according to the customs declaration number. Click on "Applicant/Domestic Consignee" and "Write off" to enter the specific write-off page. Please write off as instructed.

**Product:** Display the exclusion number as well as the 8-digit tariff line and the abbreviation of the product to be excluded from additional tariffs on the customs declaration.

Value of Exclusion Number (USD): The approved value of exclusion for the product under the exclusion number.

**Declared Value (USD):** The value of exclusion for the product that has been declared for import.

**Inconsistency:** You can view the specific inconsistency between the product under the exclusion number and the product declared for import.\*

**Operation:** Click on "Write off" to enter the specific write-off page. Please write off as instructed.\*

#### **Chapter VII: Document Download Links**

#### 7.1 Exclusion related documents

#### 7.1.1 Exclusion on market-based procurement

1) Notice of the State Council Tariff Commission on Exclusion from Additional Tariffs on Market-based Procurement of US Products (SCTC Notice [2020] No. 2)

http://gss.mof.gov.cn/gzdt/zhengcefabu/202002/t20200218 3470901.htm

2) Answers to Questions Related to Exclusion from Additional Tariffs on Market-based Procurement of U.S. Products

https://accounts.ccpit.org/static/%E5%B8%82%E5%9C%BA%E5%8C%96%E9%87%87%E8%B4%AD%E6%8E%92%E9%99%A4%E5%B8%B8%E8%A7%81%E9%97%AE%E9%A2%98%E8%A7%A3%E7%AD%9420200417.pdf

3) Guideline on Application for Exclusion from Additional Tariffs on Market-based Procurement of U.S. Products (including List of Commodities Eligible for Exclusion from Additional Tariffs)

https://accounts.ccpit.org/static/%E5%A1%AB%E6%8A%A5%E8%AF%B4%E6%98%8E.zip

4) General Administration of Customs Notice [2020] No. 36 (Notice on Customs Clearance for Exclusion from Additional Tariffs on Market-based Procurement of US Products)

http://www.customs.gov.cn/customs/302249/302266/302267/2879984/index.html

5) Guidance on Declaration for Exclusion from Additional Tariffs on Market-based Procurement (for import customs clearance)

https://mp.weixin.qq.com/s/KN7rQKEWiPMVfXzgS594PA2

# 7.1.2 Lists of Products Excluded from the First Round or Second Round of Additional Tariffs on US Products

1) Notice of the State Council Tariff Commission on List of Products under the First Exclusion from the First Round of Additional Tariffs on U.S. Products (SCTC Notice [2019] No. 6)

http://gss.mof.gov.cn/gzdt/zhengcefabu/201909/t20190911 3384638.htm

2) Notice of the State Council Tariff Commission on List of Products under the Second Exclusion from the First Round of Additional Tariffs on U.S. Products (SCTC Notice [2019] No. 8)

http://www.mof.gov.cn/zhengwuxinxi/zhengcefabu/201912/t20191219\_3444518.htm

3) Notice of the State Council Tariff Commission on List of Products under the First Exclusion from the Second Round of Additional Tariffs on U.S. Products (SCTC Notice [2020] No. 3)

http://gss.mof.gov.cn/gzdt/zhengcefabu/202002/t20200221 3472600.htm

#### 7.2 Additional tariff related documents

#### 7.2.1 First round of additional tariffs

1) Notice of the State Council Tariff Commission on Imposing Additional Tariffs on the US Products USD 50 Billion in Value (SCTC Notice [2018] No. 5)

http://gss.mof.gov.cn/gzdt/zhengcefabu/201806/t20180616 2930325.htm

2) Notice of the State Council Tariff Commission on Imposing Additional Tariffs on the US Products USD 16 Billion in Value (SCTC Notice [2018] No. 7)

http://gss.mof.gov.cn/gzdt/zhengcefabu/201808/t20180808 2983770.htm

#### 7.2.2 Second round of additional tariffs

1) Notice of the State Council Tariff Commission on Raising Additional Tariff Rate for Certain US Products (SCTC Notice [2019] No. 3)

http://gss.mof.gov.cn/gzdt/zhengcefabu/201905/t20190513 3256788.htm

#### 7.2.3 Third round of additional tariffs

1) Notice of the State Council Tariff Commission on Imposing Additional Tariffs on Certain US Products (Third Round) (SCTC Notice [2019] No. 4)

http://gss.mof.gov.cn/gzdt/zhengcefabu/201908/t20190823\_3372928.htm

2) Notice of the State Council Tariff Commission on Suspending Additional Tariff Measures on Certain US Products (SCTC Notice [2019] No. 7)

http://gss.mof.gov.cn/gzdt/zhengcefabu/201912/t20191215\_3441954.htm

3) Notice of the State Council Tariff Commission on Adjusting Additional Tariff Measures on Certain US Products (SCTC Notice [2020] No. 1)

http://gss.mof.gov.cn/gzdt/zhengcefabu/202002/t20200206 3466540.htm

#### 7.3 Other documents

Notice of the State Council Tariff Commission on Issuing the 'Import and Export Tariffs of the People's Republic of China (2020)' (STCT Notice [2019] No. 9)

 $http://gss.mof.gov.cn/gzdt/zhengcefabu/201912/t20191230\_3452186.htm$ 

The Instructions are subject to change in case of system upgrade without prior notice. Please log in to the Application System for Exclusion from Additional Tariffs on US Products to download the latest version in a timely manner.

(End unofficial translation)

## **Attachments:**

No Attachments.