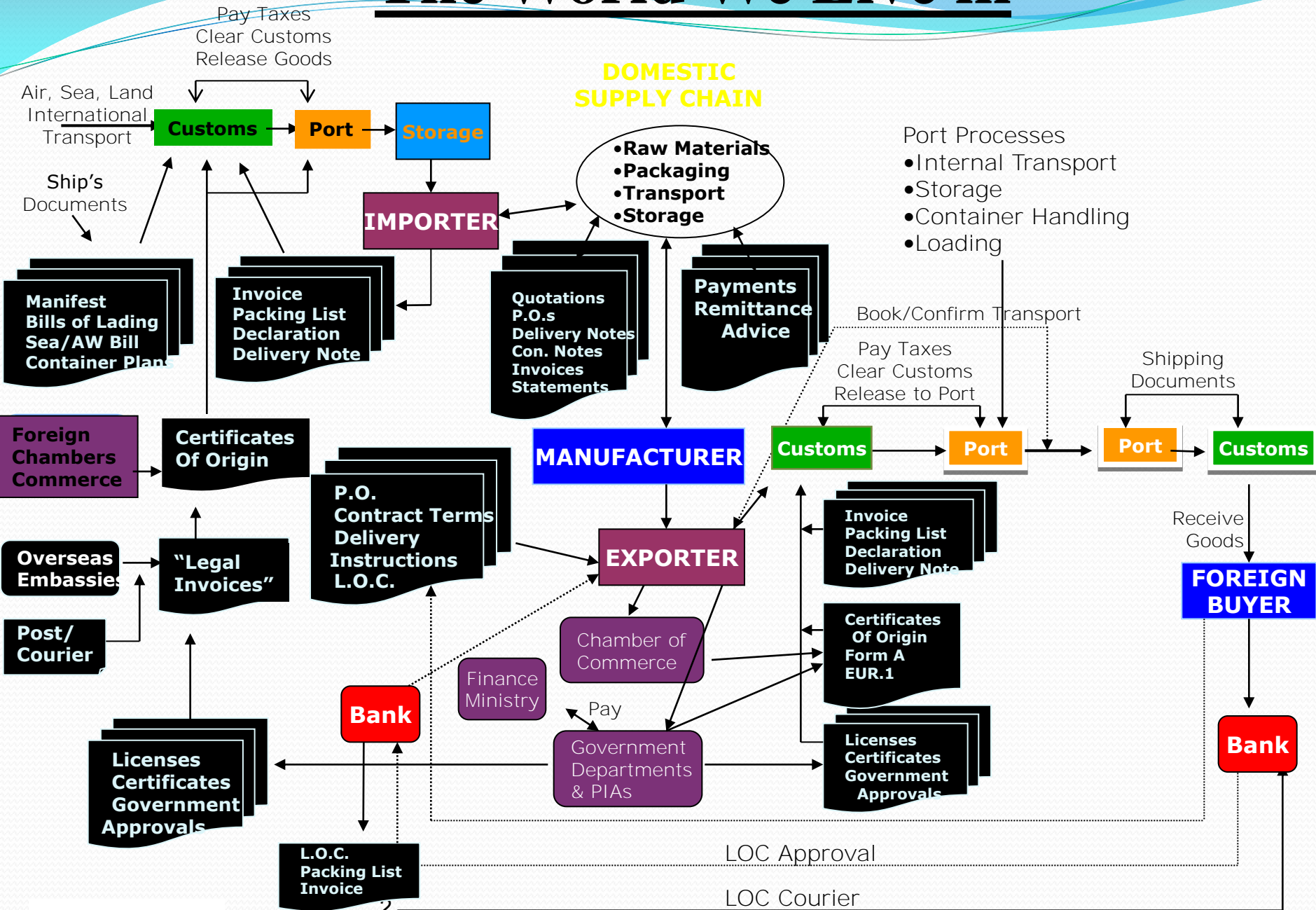




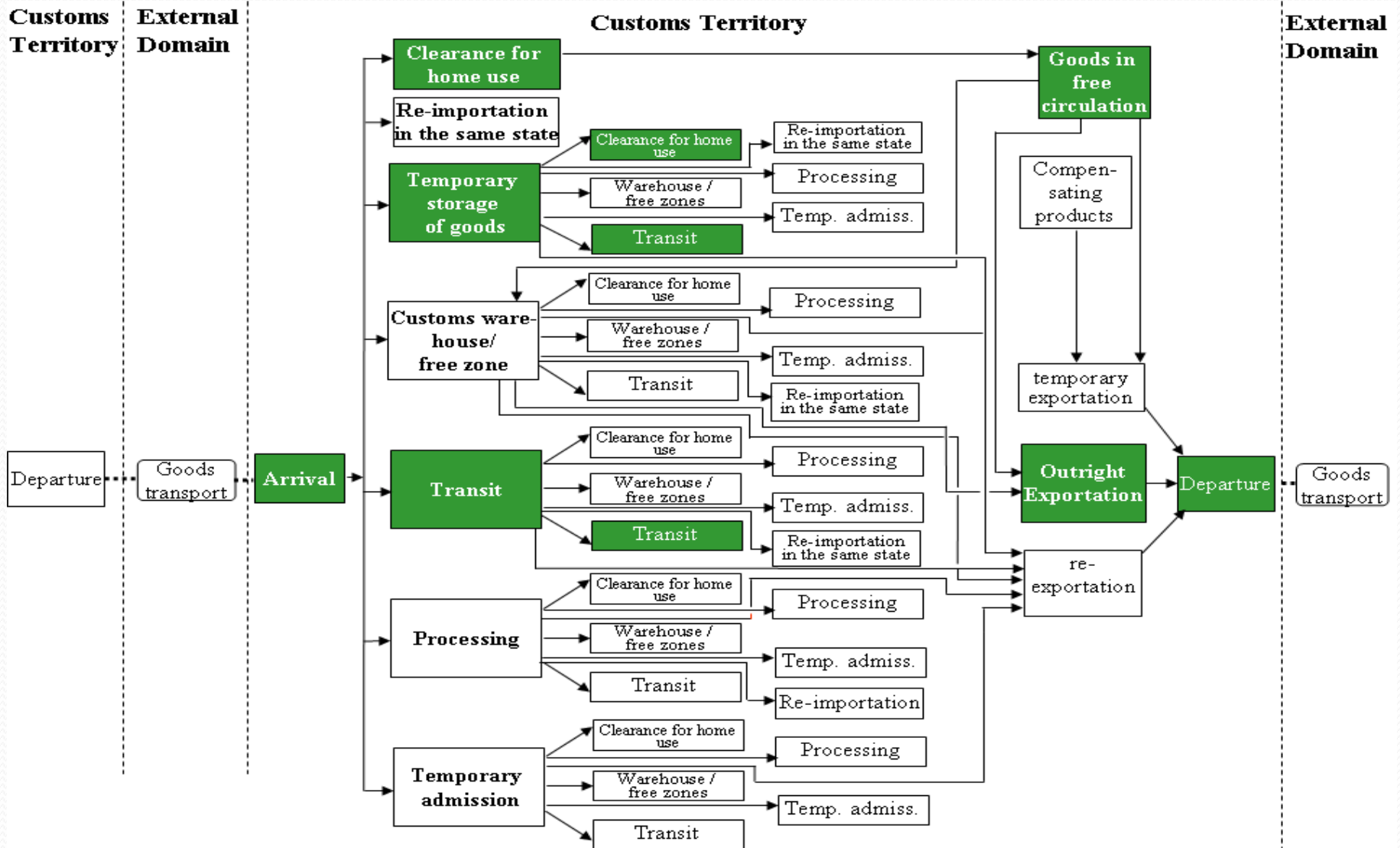
INTRODUCTION TO RKC

Vivek Ramburun
CAREC Workshop
27-28 Feb 2013

The World We Live in



Are Customs Procedures Simple Enough?



What is the Revised Kyoto Convention !



REVISED KYOTO CONVENTION (RKC)

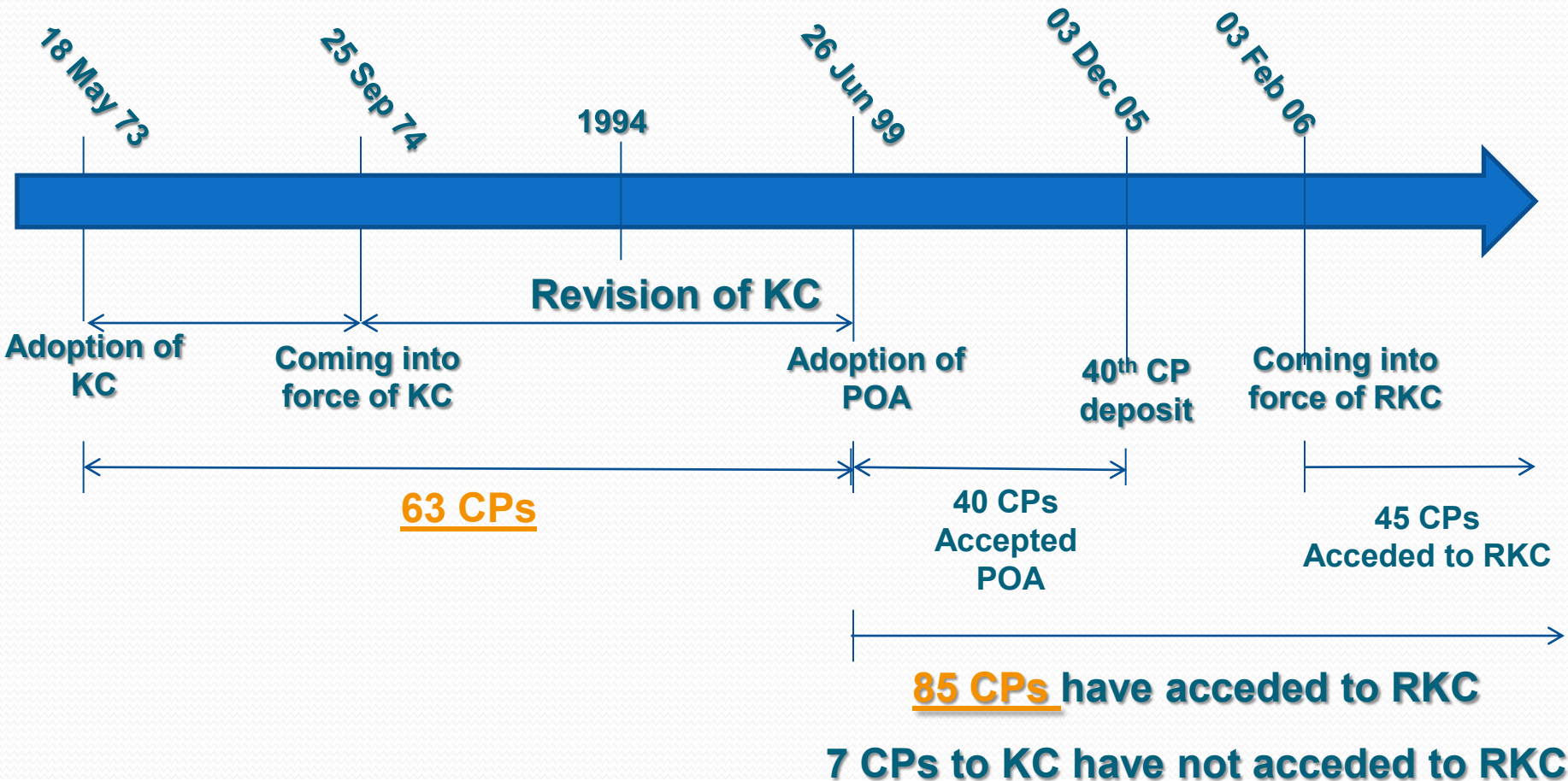
- **IS A BLUE PRINT FOR MODERN & EFFICIENT CUSTOMS PROCEDURES IN THE 21ST CENTURY**
- **IS THE MAIN CUSTOMS FACILITATION INSTRUMENT OF THE WCO**
- **IS THE TOOL TO ASSIST THE DEVELOPMENT OF GLOBAL CUSTOMS PROCEDURES**
- **PROVIDES INTERNATIONAL COMMERCE WITH THE PREDICTABILITY AND EFFICIENCY THAT GOVERNMENTS AND THE TRADE REQUIRES**



HISTORY OF RKC

**THE INTERNATIONAL CONVENTION
FOR THE SIMPLIFICATION AND
HARMONISATION OF CUSTOMS
PROCEDURES (AS AMENDED)**

HISTORY



THE KYOTO CONVENTION (KC)

The **only comprehensive international instrument** for the simplification and harmonization of Customs procedures

- ✚ Identified as being the tool to introduce simplified and harmonized procedures - 1970's
- ✚ Adopted: 18 May 1973 at Kyoto, Japan
- ✚ Entered into force: 25 September 1974
- ✚ Number of Contracting Parties (CP) to date: 63

THE KYOTO CONVENTION (ORIGINAL)

STRUCTURE

- **BODY OF THE CONVENTION**
- **31 ANNEXES** - each Annex deals with a specific
Customs procedure
- **EACH ANNEX CONSISTS OF**
 - Standards - provisions the implementation of
which are essential
 - Recommended Practices
- provisions the implementation of
which are desirable

CONDITIONS FOR ACCESSION TO KC

Contracting Parties **had to accept**

- ✦ **The Body of the Convention the provisions of which applied without restriction to all CPs; and any **one** Annex**
- ✦ **Reservations**
 - **could be entered against both Standards and Recommended Practices of the Annex accepted**
 - **should be reviewed once every three years**

REVIEW OF THE KC

- **In 1994, it was felt that the KC**
 - ❑ **had not kept track with the requirements of international trade and the private sector,**
 - ❑ **did not sufficiently play a role in the simplification and harmonization of Customs procedures.**
- **It was therefore decided to examine and revise the Convention to provide an effective simplification and harmonization instrument.**

REVIEW OF THE ORIGINAL CONVENTION

- ❑ In 1995, Permanent Technical Committee (PTC) of WCO undertook a revision and update of the Kyoto Convention in order to comply with the current requirements of international trade.
- ❑ On 26 June 1999, the WCO Council adopted the revised texts along with a Protocol of Amendment (POA) to give effect to the amendments when it entered into force.
- ❑ By this process, the text of the Kyoto Convention (1973) is replaced by the text of the Revised Kyoto Convention (RKC), in accordance with Articles 1 and 2 of the POA.
- ❑ RKC was adopted as the blue print for effective, modern, 21st Century Customs procedures.

REVISED KYOTO CONVENTION (RKC)

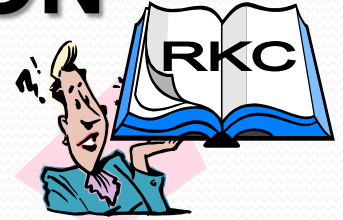
- ❑ RKC entered into force on 3 February 2006, once 40 Contracting Parties (CP) to the KC had acceded to the POA
- ❑ There are currently 85 CPs to the RKC
- ❑ It should be noted that the 7 CPs to the KC which have not yet acceded to the POA will have to accede to that Protocol in order for the RKC to enter into force for them.

RKC MAIN FEATURES

- ❑ **the radical change in structure**
- ❑ **group all main facilitation provisions in a single
General Annex to be accepted and implemented,
together with the body as a whole by every signatory**
- ❑ **Specific Annexes are optional**

THE REVISED CONVENTION

STRUCTURE



Body of the Convention

General Annex

Chapter 1

Chapter 2

Chapter 3

Chapters 4 - 10

Specific Annex A

Specific Annex B

Specific Annex C

Specific Annexes D - K

Chapters

Chapters

Chapter

Chapters

THE REVISED CONVENTION

BODY OF THE CONVENTION

- **PREAMBLE**
- **CHAPTER I - Definitions (Article 1)**
- **CHAPTER II - Scope and Structure (Articles 2 ~ 5)**
- **CHAPTER III - Management of the Convention
(Articles 6 and 7)**
- **CHAPTER IV - Contracting Party (Articles 8 ~ 17)**
- **CHAPTER V - Final Provisions (Articles 18 ~ 20)**

Definitions

"General Annex" means the set of provisions applicable to all the Customs procedures and practices referred to in this Convention;

"Specific Annex" means a set of provisions applicable to one or more Customs procedures and practices referred to in this Convention;

"Guidelines" means a set of explanations of the provisions of the General Annex, Specific Annexes and Chapters therein which indicate some of the possible courses of action to be followed in applying the Standards, Transitional Standards and Recommended Practices, and in particular describing best practices and recommending examples of greater facilities;

Definitions

"Standard" means a provision the implementation of which is recognized as necessary for the achievement of harmonization and simplification of Customs procedures and practices;

"Transitional Standard" means a Standard in the General Annex for which a longer period for implementation is permitted;

"Recommended Practice" means a provision in a Specific Annex which is recognized as constituting progress towards the harmonization and the simplification of Customs procedures and practices, the widest possible application of which is considered to be desirable;

"National legislation" means laws, regulations and other measures imposed by a competent authority of a Contracting Party and applicable throughout the territory of the Contracting Party concerned, or treaties in force by which that Party is bound;

Annexes

<u>General</u>		<u>Specific</u>	
Standard	121	241	
Transitional Standard	13	NIL	
SUB TOTAL	134	241	375
Recommended Practices	NIL	152	152
TOTAL			527

GOVERNING PRINCIPLES OF RKC

**Standard and simplified
procedures and practices**

**Risk
Management
Programme
Risk Assessment**

**System of
appeals**

**Control Techniques
Post Entry Audits**

**Pre-arrival
Declaration**

**Publication of
accurate, up-to-date
information &
Advance Rulings**

**Maximum use of
Information
Technology
Automation**

**Partnership
with the Trade**



QUESTIONS?



THANK YOU