**Dialogue on Customs Act 2023 Put Emphasis for Streamlining Customs Procedures**

Business Initiative Leading Development(BUILD) in association with National Board of Revenue (NBR) organized a Dialogue on March 6, 2024 at its Conference Room at Motijheel for analyzing different new provisions of Customs related issues in the Customs Act 2023. The Act has been prepared to include international best practices such as WCO revised Kyoto Convention, WCO safe framework of standards and WTO Trade Facilitation agreement. The new Act has 269 clauses which was 286 in the customs act 1969.

Dr S M Humayun Kabir, Member, Customs Audit, Modernization and International Trade, NBR was present as the Chief Guest and said that change is a permanent issue, today’s dialogue is the beginning and after having similar frequent Dialogues mind sets of all concerned will be changed. He referred some of the provisions of the new Act such as; consultations with the stakeholders before bringing any changes in the Act( section 262), AEO rules for the compliant traders, policies for voluntary disclosure( clause 171(2), release of products through self clearance(clause 90(3), extension of time refund application ( clause 34) and said these are all for simplification of procedures and better services to the entrepreneurs.

Mr Md Abdul Kafi, former Commissioner of Customs Excise & VAT, NBR moderated the session and he highlighted some important historical perspective of the Customs issues from his long experiences of working in this area.

CEO, BUILD gave introductory speech and informed that there is a target of USD 111 billion export by 2027 so Customs should be modern to handle such a huge amount of export and import for the purpose of export.

NBR 1st Secretary Mr Raich Uddin Khan made a presentation highlighting different new provisions included in the Act. Some of the new provisions are; electronic declaration, risk management, Non Intrusive Inspection(NII), post clearance audit, advance ruling, National Enquiry Point, advanced passenger information etc for business simplification. Rules, manuals, procedures, SoPs will be prepared soon for implementation of the new act.

Md NUrruzzaman and Mr Nasibul Amin, Sr Research Associate, BUILD analysed the Act and presented a paper highlighting background of the act, new inclusions and compared different provisions of the act to understand the gaps between Customs Act 1969 and new Act 2023. The presentation also highlighted the adequacy of the new Act compared with WTO TFA and identified the gaps. It is seen that Risk Management(art 7.4- category C), a commissionerate has been established by risk management units in the port, but it has not been made operational yet while as per Time Release Study(TRS) 2022 the total time for release of consignments have not been reduced. The study suggested for withdrawal of section 27(5) of the Act, upgrading ASYCUDA, implementation of WTO Custom Valuation module, dispute litigation module etc.

Mr Fariduddin, former Member, Customs Policy, NBR gave a broad outline of what more should be done for meeting the private sector need in the changed situation of business. He said that HS code is a long standing problem need to be resolved, EPZ, BEZA would need to be integrated with ASYCUDA, and suggested for a radical change in the customs procedures. He put emphasis on customs to customs cooperation, customs to other agencies collaboration and an effective single window for streamlining customs procedures.

Mr Md Mamun ur Rashid ASkari, Joint Chief, Bangladesh Trade & Tariff Commission joined as a Panel and highlighted the TFA related issues and informed that there are different provisions of TFA, some are mandatory, some optional and some are best endeavour, so we need to be careful in handling priority TFA issues.

Mr Mamun Kabir Tarafder, Deputy Director Land Port Authority as a panelist taking cue of the importance of scanner, he emphasized on the need of matching of scale for proper functioning of scanner. In regard to maintaining the standard of the products he put emphasis on the certification needs of the importing countries and informed that in the land port they are facing problems for standard related issues as there is no deployment of Navy in the land ports. He suggested for sound and timely data transfer system following example of successful countries.

Mr Manzur Ahmed, Adviser, FBCCI emphasized technological efficiency and introduction of Custom Valuation procedure along with TFA and WCO system. Referring section 83 of the new Act on exchange rate, he suggested for simplification of the language and bring necessary reforms in that respect, also suggested for inclusion of private sector representatives in the NSW. He echoed that there is a need for matching of scanner and weighing machine for quicker release of consignments.

Mr Humayun Rashid, MD and CEO, Energypac Power Generation spoke and said that even though they have been able to export through SAPTA, however facing complexity in importing raw materials from India. He put emphasis on the need for warehousing for ease of doing business. He added that with the exports of manufacturing goods, services export would also need to be prioritized. He referred that while local Engineering Procurement and Construction(EPC) companies are earning foreign exchange however their treatment is not align with the foreign EPCs.

Mr Syed Mohammad Tarique, Director AmCham informed that they are supporting for preparing Logistics Policy where importance customs procedure simplification were emphasized. He informed that shipping lines sometime failed to get the required information of import containers and in that respect they should not be harrased. There is a need for proper education of all concerned who are engaged in handling consignments. Mr Mikail Hossain, Product Group Manager Cultivate Technology put emphasis on the hassles they are facing in calibrating the standard of chemicals they used to import. Mr Tarek Islam of Nixon bd informed that now most of the exports are being handled through sales contract. They are direct exporters and at the same time deemed exporters, there is often random examination of import containers, for a fault of a single sample whole consignment has been given penalty, these problems would need to be addressed.

Participants also highlighted the need for aligning the definition of export with customs policy VAT and similar other policies. A number of private sector and Chamber representatives Metropolitan Chamber of Commerce and Industry, Chittagong Chamber of Commerce & Industry, Americal Chamber of Commerce & Industry, Dhaka Chamber of Commerce & Industry, Bangladesh Plastic Products Manufacturers and Exporters Association attended and contributed to the Dialogue. NBR thanked BUILD for an effective Dialogue for creating awareness about the new Customs Act.