

**COMMUNICATION FROM CHINA, INDONESIA AND KOREA**

Revision

The following communication dated 10 February 2010, is being circulated at the request of the Delegations of China, Indonesia and the Republic of Korea.

---

**CUSTOMS AUDIT**

Textual Proposal

1. Members shall, where possible, adopt customs audit, especially post-clearance audit, with a view to expediting the release of goods at borders.
2. If a Member adopts customs audit, it shall ensure that the customs audit does not infringe upon the legal interests of the persons concerned<sup>1</sup>.
3. The customs audit shall be implemented in a transparent manner. Members shall notify the persons concerned of the relevant initiation and result of the case, the rights and obligations it has, and the evidences and reasons for the result. The person shall be provided the right to appeal against any specific customs audit case it is involved in.
4. Members may use the result of customs audit as a legal basis for further actions, including investigations into the specific cases, dealing with the persons or goods concerned, etc.
5. Members shall, wherever practicable, use the result of customs audit for reference in applying risk management and identifying authorized trader status.

Definition

**Customs audit** means the audit conducted by the customs on the basis of the account books and vouchers, customs declaration documentations or data, commercial documents and goods of the traders with the purpose to identify the authenticity and validity of the trade.

---

<sup>1</sup> "Persons concerned" include taxpayer, importer or its agent, distributor and declarer.