

Introduction of the Advance Filing Rules on  
Maritime Container Cargo Information  
(Guidance)

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## Table of Contents

1. Introduction .....	1
2. Background.....	1
3. Summary of the Advance Filing Rules on Maritime Container Cargo Information ....	1
(1) Cargo to Be Filed.....	2
(2) Persons Obligated to File .....	2
(3) Filing deadline.....	2
(4) Filed Cargo Information .....	3
(5) Filing Methods.....	3
(6) Exemption from Advance Filing .....	3
(7) Advance Notice .....	4
(8) Application for Cargo Discharge Permission .....	5
(9) Penal Provisions .....	5
4. Filing Method, etc. through NACCS .....	5
(1) What is NACCS ? .....	5
(2) User Connectivity with NACCS.....	6
(3) Reporter ID Issuance .....	6
(4) Filing of Cargo Information by Shipping Companies (Ocean (Master) B/L Cargo Information).....	6
(5) Filing of Cargo Information by NVOCC (House B/L Cargo Information).....	7
(6) Filing of the Date and Time of Departure from the Port of Loading by Shipping Companies (Fixed).....	8
(7) Discrepancy Information.....	8
(8) Advance Notice from Japan Customs.....	9
(9) Creation of cargo information for manifest based on pre-arrival filing (the current rules) using the cargo information filed according to the Advance Filing Rules on Maritime Container Cargo Information.....	10
(10) Application for Cargo Discharge Permission (DNC).....	10
5. Enforcement Date.....	11

## Appendices

Appendix 1	Summary of the Advance Filing Rules on Maritime Container Cargo Information .....	12
Appendix 2	Relaxed application to the deadline for filing with regard to short-distance shipping routes .....	14
Appendix 3	Data Elements to Be Filed .....	16
Appendix 4	Advance Notice of the Result of Risk Analysis .....	18
Appendix 5	User Connectivity with NACCS .....	19
Appendix 6	Diagram of Reporter ID Acquisition Procedure, etc. ....	21
Appendix 7	NACCS Procedure Flow .....	22
Appendix 8	Table of Input Fields of Advance Cargo Information Registration (AMR) .....	24
Appendix 9	Unacceptable Items .....	36
Appendix 10	Table of Input Fields of Advance Cargo Information Registration (House B/L) (AHR) .....	37
Appendix 11	Table of Input Fields of Departure Time Registration (ATD) .....	48
Appendix 12	Table of Output Fields of Discrepancy Information .....	50
Appendix 13	Discrepancy Information of Advance Filing .....	54
Appendix 14	Table of Output Fields of Advance Notice .....	55
Appendix 15	Advance Notices of Risk Assessment .....	57
Appendix 16	Cancellation of Risk Assessment Notice .....	58
Appendix 17	Table of Input Fields of Application for Cargo Discharge Permission (DNC) .....	59
Appendix 18	MARITIME CONTAINER CARGOES INFORMATION (Customs Form C No.2032) .....	62

## 1. Introduction

To provide increased security to the global supply chain, e.g., via counterterrorism measures, Customs has to enhance control at the border by obtaining maritime container cargo information at an earlier point. Therefore, the revised Customs Law in 2012 stipulates the Advance Filing Rules on Maritime Container Cargo Information, which require operators of foreign trading vessels carrying container cargoes intending to enter a port in Japan and consignors for the applicable cargoes to electronically file detailed cargo information with Japan Customs before the foreign trading vessels leave the ports of loading.

## 2. Background

- (1) Spurred by the September 11 terrorist attacks in the US in 2001, the World Customs Organization (WCO) developed a regime to be internationally implemented as the “WCO SAFE Framework of Standards to Secure and Facilitate Global Trade” (hereinafter referred to as the “SAFE Framework”); allowing WCO Members to enhance the security and facilitation of international trade. This “SAFE Framework” states WCO Members should electronically obtain cargo information of maritime container cargoes before loading at the port of departure.
- (2) The US and several other foreign countries require electronically filing of detailed cargo information at the earliest timing accepted by the “SAFE Framework”, i.e., no later than 24 hours before loading of the cargo at ports of departure.
- (3) Compared with the “SAFE Framework” and the rules of foreign countries such as the US, the current rules in Japan need to be improved with regard to the timing, the data elements, and the method of filing because (1) cargo information is filed before arrival in the port and there is limited time from filing to arrival, (2) in many cases, detailed description of goods and actual consignees, etc. of consolidated cargo are unknown, and (3) not all cargo information filed to Japan Customs is in electronic format.

## 3. Summary of the Advance Filing Rules on Maritime Container Cargo Information

The Advance Filing Rules on Maritime Container Cargo Information oblige filers to electronically submit detailed information for maritime container cargoes to be loaded on a vessel intending to enter a port in Japan, in principle, before departure of the vessel from the port of loading. Specific details are as follows. (Refer to Appendix 1 “Summary of the Advance Filing Rules on Maritime Container Cargo Information.”)

### (1) Cargo to Be Filed

The cargoes to be filed under the Advance Filing Rules on Maritime Container Cargo Information based on Article 15-7 and 15-8 of the Customs Law are container cargoes loaded on foreign trading vessels intending to enter a port in Japan. The following, however, need not be filed:

- Empty containers
- Cargoes loaded on Platform containers
- Maritime container cargo not discharged in Japan

### (2) Persons Obligated to File

Persons obliged to file are as follows:

- A. According to Article 15-7 of the Customs Law, operators of foreign trading vessels carrying container cargoes intending to enter a port in Japan who know the cargo information based on Ocean (Master)B/L (hereinafter referred to as "Shipping Companies").
- B. According to Article 15-8 of the Customs Law and Article 12-9 of the Order for Enforcement of the Customs Law, consignors who use carriage by Shipping Companies, that know the cargo information based on House B/L to engage in the cargo transportation business, and enter into freight contracts with Shipping Companies (hereinafter referred to as "NVOCC").

### (3) Filing deadline

The filing deadlines are stipulated as follows, based on the date and time of the departure of the vessel, which the persons obliged to file and Japan Customs can confirm:

- A. According to Article 12-7 of the Order for Enforcement of the Customs Law, 24 hours before the departure of a foreign trading vessel from a port of loading, intending to enter a port in Japan carrying the cargo falling under 3-(1) above to be loaded at the port (except the cargoes mentioned in B below).
- B. According to Article 2-2-4 of the Rules on Enforcement of the Customs Law, by the departure of a foreign trading vessel from a port of loading in case the cargo is to be loaded on the vessel at the "Area other than Japan" referred to Appended Table 3 of the rules and discharged at the "Area in Japan" as the first port of arrival referred to Appended Table 3 of the rules (Refer to Appendix 2 "Relaxed application to the deadline for filing with regard to short-distance shipping routes.")

#### (4) Filed Cargo Information

Data elements to be filed in the Advance Filing Rules on Maritime Container Cargo Information are as follows:

##### A. Shipping Companies obliged to file in 3-(2)-A above.

According to provisions in Article 12-8 of the Order for Enforcement of the Customs Law and Article 2-2-5 of the Rules on Enforcement of the Customs Law, cargo information in the "Ocean (Master) Bill of Lading on Cargo Information" field of Appendix 3 "Data Elements to Be Filed" shall be filed (mandatory)

##### B. NVOCC obliged to file in 3-(2)-B above.

According to provisions in Article 12-10 of the Order for Enforcement of the Customs Law and Article 2-2-6 of the Rules on Enforcement of the Customs Law, cargo information in the "House Bill of Lading on Cargo Information" field of Appendix 3 "Data Elements to Be Filed" shall be filed (mandatory).

#### (5) Filing Methods

Under the provisions in Article 15-9, the Advance Filing Rules on Maritime Container Cargo Information oblige the filers to electronically file cargo information through the Nippon Automated Cargo and Port Consolidated System (hereinafter referred to as "NACCS") (refer to 4-(1) below).

The filers, however, must file cargo information in writing into Appendix 18 "MARITIME CONTAINER CARGOES INFORMATION" , etc. If Japan Customs recognizes the cases where it is difficult to electronically file cargo information through NACCS, e.g., due to system failure. Therefore, please contact with Japan Customs' contact point to be announced later.

#### (6) Exemption from Advance Filing

According to the provisions in Article 12-6 of the Order for Enforcement of the Customs Law, filers are exempt from filing in case Japan Customs recognizes difficulties in filing cargo information bound for Japan before departure of the port of loading due to natural disasters such as storm, heavy rain, flooding, earthquake, tsunami, volcanic eruption, etc. or man-made disasters such as war, armed conflict, etc.

Meanwhile, where Japan Customs recognizes difficulties in electronically filing cargo information through NACCS due to cases such as system failure mentioned in 3-(5) above, etc., the filers must file cargo information in writing into Appendix 18, etc., to which no exemption is applied. Therefore, please contact with Japan Customs' contact point to be announced later.

## (7) Advance Notice

Japan Customs gives the following advance notices in principle within 24 hours after receiving cargo information when necessary measures (e.g. suspending the discharge of cargo in Japan) should be taken according to the provisions in Article 106 of the Customs Law if the cargo is identified as high risk from a Japanese security perspective, following risk analysis of the cargo information filed in the Advance Filing Rules on Maritime Container Cargo Information. If, however, Japan Customs obtains new security intelligence, notice is sent even if 24 hours have elapsed since the filing. (Refer to Appendix 4 “Advance Notice of the Result of Risk Analysis.”)

In case the situation (cause) of advance notice is resolved after the advance notice was sent, Japan Customs will cancel the advance notice promptly.

### A.Code ‘DNL’

If the cargo is identified as high risk following risk analysis of the cargo information filed to Japan Customs 24 hours before loading of a cargo on a vessel, an advance notice is sent through NACCS with “DNL” code informing that the cargo is a high-risk cargo and cannot be brought into Japan.

### B.Code ‘HLD’

If it is necessary to request further or revised information in order to complete the risk assessment of the cargo, an advance notice is sent through NACCS with “HLD” code and specific request details.

### C.Code ‘DNU’

The advance notice of this code is sent in the following cases:

- If Japan Customs finds a cargo is a Japanese security threat following risk analysis after a foreign trading vessel leaves a port of loading, an advance notice is sent through NACCS with “DNU” code informing that discharge of the cargo at the entry into port in Japan is suspended.
- With regard to the cargo notified “HLD” in B above, if Japan Customs confirms that a foreign trading vessel carrying the cargo has left the port of loading without cancellation of the advance notice with “HLD” code, discharge of the cargo must be suspended unless additional information is filed or the information is corrected in accordance with a request from Japan Customs by the time the vessel enters a port in Japan. The code “DNU” will be sent through NACCS with a notice that the status of the code has been switched and the discharge of the cargo will be suspended if a request is not complied.

#### (8) Application for Cargo Discharge Permission

Where filing of cargo information is overdue as indicated below, Japan Customs will send the “SPD” code in advance through NACCS. (In this case, persons obliged to file may be penalized.)

In addition, according to Article 16-3 of the Customs Law, if the advance notice on a cargo is sent, the cargo must not be discharged without cargo discharge permission from Japan Customs. Those wishing to discharge the cargo must apply for cargo discharge permission according to the following categories:

##### A. If the cargo information is not filed

Those wishing to discharge the cargo must apply for cargo discharge permission to the Customs office with jurisdiction over the port where they plan to discharge cargo after filing the cargo information shown in 3-(5) above in advance and get permission.

##### B. If the cargo information is not filed by the filing deadline

Those wishing to discharge cargo must apply for cargo discharge permission to the Customs office with jurisdiction over the port where they plan to discharge cargo and get permission.

#### (9) Penal Provisions

If Shipping Companies or NVOCC have not filed the cargo information provided in Articles 15-7 or 15-8 in the Customs Law by the filing deadline or have filed false information, they will be imprisoned for a term not exceeding one (1) year or be liable for a fine of up to JPY 500 thousand.

In addition, if those intending to request cargo discharge permission pursuant to Article 16-3 of the Customs Law have discharged the cargo without permission, they will be imprisoned for a term not exceeding one (1) year or be liable for a fine of up to JPY 500 thousand.

#### 4. Filing Method, etc. through NACCS

##### (1) What is NACCS ?

The Nippon Automated Cargo and Port Consolidated System (NACCS) is a system for online processing of procedures taken with Japan Customs and other relevant administrative authorities or relevant private-sector services for arriving/departing ships and aircrafts or import/export cargo. It is operated by NACCS Center. (the company's website: <http://www.naccs.jp/e/index.html>)

The Advance Filing Rules on Maritime Container Cargo Information require that cargo information be filed electronically through NACCS as stated in 3-(5) above.



## (2) User Connectivity with NACCS

As shown in Appendix 5 “User Connectivity with NACCS,” filers must connect with NACCS to file the cargo information under the Advance Filing Rules on Maritime Container Cargo Information; either through the gateway connection with the filer’s own system or through service providers.

Note: For those who have offices in Japan having entered into a service agreement with NACCS Center, they can file information using the packaged client software provided by NACCS Center.

## (3) Reporter ID Issuance

Those who file the cargo information under the Advance Filing Rules on Maritime Container Cargo Information via service providers must obtain a Reporter ID from the Reporter ID Issuance System provided by NACCS Center beforehand. Please refer to Appendix 6 “Diagram of Reporter ID Acquisition Procedure, etc.” for acquisition of a Reporter ID. Detailed acquisition methods are shown in the Advance Filing Rules web site (<http://www.naccscenter.com/afr/>), from where a Reporter ID can also be obtained.

## (4) Filing of Cargo Information by Shipping Companies (Ocean (Master) B/L Cargo Information)

### A. Cargo Information Registration

Filing of cargo information by Shipping Companies must be registered according to each unit of Ocean (Master) B/L through the Advance Cargo Information Registration (AMR) in Appendix 7 “NACCS Procedure Flow” by the filing deadline.

An EDIFACT message can be used by only NACCS users to file the information in this procedure.

### B. Input Fields

The AMR input field table conforms to Appendix 8 “Table of Input Fields of Advance Cargo Information Registration (AMR).”

### C. Acceptance of Cargo information

As for cargo information registered in A above, NACCS checks the input conditions and notifies the filers of the process results (completion or error).

When checking the input conditions, the system checks formats such as data attributes. If any of the items in Appendix 9 “Unacceptable Items” are filed, they are rejected. (A processing result error is signaled.) (Items in Appendix 9 are

examples. In future they will be revised as required.)

#### D. Corrections, etc. of Cargo Information

The necessary corrections to Ocean (Master) B/L cargo information successfully received through NACCS can be made through the Update Registered Advance Cargo Information (CMR). However, the “B/L Number”, “Vessel Code”, “Voyage Number”, “Carrier Code”, “Port of Loading Code” and “Port of Loading Suffix” cannot be modified.

In addition, after execution of the Departure Time Registration (ATD) in 4-(6) below, the information cannot be corrected/deleted unless Japan Customs sends an advance notice.

### (5) Filing of Cargo Information by NVOCC (House B/L Cargo Information)

#### A. Cargo Information Registration

Filing of cargo information by NVOCC must be registered according to each unit of House B/L cargo information through the Advance Cargo Information Registration (House B/L) (AHR) in Appendix 7 “NACCS Procedure Flow” by the filing deadline.

An EDIFACT message can be used by only NACCS users to file the information in this procedure.

#### B. Input Fields

The AHR input field table conforms to Appendix 10 “Table of Input Fields of Advance Cargo Information Registration (House B/L) (AHR).”

#### C. Acceptance of Cargo Information

As for cargo information registered in A above, NACCS checks the input conditions and notifies the filers of the process results (completion or error).

When checking the input conditions, the system checks formats such as data attributes. If any of the items in Appendix 9 “Unacceptable Items” are filed, they are rejected. (A processing result error is signaled.) (Items in Appendix 9 are examples. In future they will be reviewed as required.)

#### D. Corrections, etc. of Cargo Information

The necessary corrections to House B/L cargo information successfully received through NACCS can be made through the Update Registered Advance Cargo Information (House B/L) (CHR). However, the “House B/L Number”, “Master B/L Number”, “Vessel Code,” “Voyage Number”, “Carrier Code”, “Port of Loading Code” and “Port of Loading Suffix” cannot be modified.

In addition, after execution of the Departure Time Registration (ATD) in 4-(6) below, the information cannot be corrected/deleted unless Japan Customs sends

an advance notice.

(6) Filing of the Date and Time of Departure from the Port of Loading by Shipping Companies (Fixed)

A. Registration of the Date and Time of Departure from the Port of Loading

After a vessel loads a cargo whose information in 4-(4) or (5) above was filed and leaves the port, Shipping Companies must file the date and time of departure from the port of loading through the Departure Time Registration (ATD) by the time of filing cargo information based on Article 15-1 of the Customs Law through the Manifest Submission (DMF) of NACCS.

B. Input Fields

The ATD input field table conforms to Appendix 11 "Table of Input Fields of Departure Time Registration (ATD)."

C. Correction of the Date and Time of Departure from the Port of Loading

The date and time of departure from the port of loading registered in NACCS can be corrected as required also through the Departure Time Registration (ATD).

(7) Discrepancy Information

As for cargo information in 4-(4) and (5) above, NACCS determines whether a filing is overdue, etc. and sends information on the discrepancy to the filers.

A. Types of Notice

- (a) Discrepancy information when the system finds a filing is overdue
- (b) Discrepancy information when the system finds cargo information through the Advance Cargo Information Registration (House B/L) (AHR) is not filed though the cargo information through the Advance Cargo Information Registration (AMR) has been filed.
- (c) Discrepancy information when the system finds cargo information through the Advance Cargo Information Registration (AMR) is not filed though the cargo information through the Advance Cargo Information Registration (House B/L) (AHR) has been filed.
- (d) Discrepancy information when the Vessel Code, etc. filed through the Advance Cargo Information Registration (House B/L) (AHR) does not match those filed through the relevant Advance Cargo Information Registration (AMR).
- (e) Discrepancy information when the system finds cargo information is not filed through Advance Cargo Information Registration (AMR) though the cargo information is filed through Manifest Submission (DMF)

- (f) Discrepancy information when the system detects the Departure Time Registration (ATD) is not registered.

#### B. Delivery Time

- (a) Filing of the Departure Time Registration (ATD) leads the system to assess the discrepancy information shown in A-(a) through A-(d) and sends the discrepancy notices.
- (b) Filing of the Manifest Submission (DMF) leads the system to assess the discrepancy information shown in A-(e) through A-(f) and sends the discrepancy notices.

#### C. Delivery destination

- (a) The discrepancy information shown in B-(a) above is sent to the filer of the Departure Time Registration (ATD).
- (b) The discrepancy information shown in B-(b) above is sent to the filer of the Manifest Submission (DMF).

#### D. Output Fields

Output fields in the discrepancy information conform to Appendix 12 "Table of Output Fields of Discrepancy Information," and the output image is shown as Appendix 13 "Discrepancy Information of Advance Filing."

### (8) Advance Notice from Japan Customs

Notification Forwarding parties and output fields related to advance notices from Japan Customs in 3-(7) above are as follows:

#### A. Types of Notice

- (a) Advance notice with DNL code and their cancellation notices:
- (b) Advance notice with HLD code and their cancellation notices:
- (c) Advance notice with DNU code and their cancellation notices:
- (d) Advance notice with SPD code and their cancellation notices:

#### B. Notification Forwarding Party

- (a) Advance notice on cargo information from A-(a) to (d) above are sent to the filers, registered in the Notification Forwarding Party field, of the Advance Cargo Information Registration (AMR) and the filers of the Manifest Submission (DMF).
- (b) Advance notice on cargo information from A-(a) to (c) above filed through the Advance Cargo Information Registration (House B/L) (AHR) are sent to the filers, registered in the Notification Forwarding Party field, of the Advance Cargo Information Registration (House B/L) (AHR), the filers of relevant cargo

information of the Advance Cargo Information Registration (AMR) (only in cases where AMR has been executed before Japan Customs sends advance notice), and the filers of the Manifest Submission(DMF).

### C. Output Fields

Output fields in advance notices from Japan Customs conform to Appendix 14 “Table of Output Fields of Advance Notice,” and output images are shown as Appendix 15 “Advance Notices of Risk Assessment” and Appendix 16 “Cancellation of Risk Assessment Notice.”

## (9) Creation of cargo information for manifest based on pre-arrival filing (the current rules) using the cargo information filed according to the Advance Filing Rules on Maritime Container Cargo Information

If pre-arrival information of cargo, for which information in 4-(4) above has been filed, is filed based on Article 15-1 of the Customs Law, the cargo information for manifest in the pre-arrival filing can be easily created by quoting cargo information filed in the Advance Filing Rules on Maritime Container Cargo Information through the following procedures:

### A. In the Case of Blanket Registration in Units of Company Using the Vessel

In creating the cargo information to be filed in the pre-arrival filing, filers can use the Manifest Information Registration (Blanket Registration) (MFI), quote details of the cargo information filed in the Advance Filing Rules on Maritime Container Cargo Information, and register in NACCS in batch.

### B. In the Case of the Registration in Units of B/L

In creating the cargo information for manifest in the pre-arrival filing, filers can use the Call Up Cargo Information for Manifest Registration (MFR 11), quote the details of cargo information filed in the Advance Filing Rules on Maritime Container Cargo Information in units of B/L, and register in NACCS.

## (10) Application for Cargo Discharge Permission (DNC)

### A. Registration of the Application for Cargo Discharge Permission (DNC) Information

Those seeking cargo discharge permission through NACCS according to the provision in Article 16-3 of the Customs Law must apply to the Customs office, which has jurisdiction over the port where they plan to discharge cargo, through the Application for Cargo Discharge Permission (DNC) in Appendix 7 “NACCS Procedure Flow.”

### B. Input Fields

The DNC Input field table conforms to Appendix 17 “Table of Input Fields Application for Cargo Discharge Permission (DNC).”

5. Enforcement Date

Receiving cargo information will start from March 1, 2014 at 12 a.m. in Japan Time (Greenwich Mean Time : February 28, 2014 at 3 p.m.).

The filers are obliged to file cargo information for container cargoes whose deadline of filing is on/after March 10, 2014 at 12 a.m. in Japan Time (Greenwich Mean Time : March 9, 2014 at 3 p.m.).

(End)