



**People's Democratic Republic
Peace Independence Democracy Unity Prosperity**

Ministry of Finance
Customs Department

No.05751/CD
Vientiane Capital, dated 1 October 2018

Instruction

To: Head of Division of Customs Department, Regional Customs Office
and Customs Inspection Office at the provinces throughout the country

Subject: Duty and Taxes Declarations for Changing Ownership of Vehicle and Machinery
for import exemption, withholding (temporary import) or tax deduction

- Pursuant to the Customs Law, No. 04/NA, dated 20 December 2011, and Amended Customs Law No 57/NA, dated 24 December 2014;
- Pursuant to the Minister's Decision on Organization and Implementation of Customs Department, No 2826/MoF, dated 22 August 2017.
- Pursuant to the Notification on Duty and Taxes Declarations for Changing Ownership of Vehicle and Machinery No. 2350/MoF, dated 18 July 2018.

To ensure the implementation of the Notification on Duty and Taxes Declarations for Changing Ownership of Vehicle and Machinery for import exemption, withholding tax (temporary import) or tax deduction No. 2350/MoF, dated 18 July 2018 to be effective and uniform across the country.

Department of Customs issue additional Instruction as follows:

1. Assigned Head of Division of Customs Department and Customs Inspection Sector at provinces focus on coordination to develop and implementation the Notification of Ministry of Finance on Duty and Taxes Declarations for Changing Ownership of Vehicle and Machinery for import exemption, withholding tax (temporary import) or tax deduction No. 2350/MoF, dated 18 July 2018 to be uniform.

2. The determination of the value for tax declaration shall be based on the comparative price at the initial details on the tax declaration form as the basis for the assessment of the tax payment according to the regulations.
 - For the details on tax declaration shall follow the tax regime as IM4 and IM5 that is proof of proper accounting based on accounting law and customs law, IM8 Form is customs assurance receipt from warehouse or border before issue the details on customs declaration form, this will require the issuance of a guarantee under the prescribed on tax regime, which is considered through details on tax declaration procedure in accordance to regulations.
3. Vehicle and Machinery deductions for devaluation as shown at Table 7 of Public Work and Transportation Sector (follow the mathematic principle).
4. For the calculation on customs duty-taxes and fines of the vehicle and machinery shall follow Notification No. 2350/MoF, dated 18 July 2018 and customs law.
5. In case there is incomplete evidence and references in according to the condition as specified on Notification No. 2350/MoF, dated 18 July 2018, it shall follow the Notification on solution of import vehicle with tax evasion No. 1984 / MOF, dated 27 June 2018a and customs law.
6. Lines Division of Customs Department, Management of Customs Sector and Customs Inspection Sector at provinces throughout the country to coordinate with line agencies and local authorities implement this notification strictly.
7. In practice, if there is any difficulty, it has to summarize the issue and reports to the Customs Department in order to solve the problem in according to the laws and regulations.

Therefore, this must be inform and strictly implementation.

Acting Director General of
Customs Department,

[Sign and seal]

Mr. Bounpasert Sikounlabouth

CC: - Vice Prime Minister, Minister of Finance 01 "to acknowledge"
- Vice Ministers of Finance 01 "to report"
- Permanent Secretariat Office of Ministry of Finance 01 "to acknowledge"

