

Overseas Market Information



ATA Carnet for Temporary Duty Free Exportation & Importation of Goods

What is an ATA Carnet?

The ATA Carnet is an international Customs document that a traveller may use temporarily to import certain goods into a country without having to engage in the Customs formalities usually required for the importation of goods, and without having to pay duty or value-added taxes on the goods.

The United States allows for the temporary importation of commercial samples, professional equipment and certain advertising materials by a non-resident individual.

Carnets are a security that participating countries accept as a guarantee against the payment of Customs duties that may become due on goods temporarily imported under a Carnet and not exported as required. "ATA" stands for the combined French and English words "Admission Temporaire-Temporary Admission."

Why use an ATA Carnet?

The ATA Carnet simplifies the Customs formalities involved in temporarily importing goods into the US and other countries. Without a Carnet it would be necessary to go through the Customs procedures established in each country for the temporary admission of goods. The Carnet allows the business traveller to use a single document for clearing certain categories of goods through Customs in several different countries. It may be used for unlimited exits from and entries into the US and participating foreign countries during the one-year period of validity. They are accepted as the entry document and satisfy the importer's obligation to post a security in more than 87 countries.

Why not use Temporary Importation under Bond?

Foreign importers who choose to use a TIB to temporarily enter goods into the United States must file either Customs Form (CF) 3461, "Entry/Immediate Delivery," or 7501, "Entry Summary" to clear their shipment. This usually necessitates leaving the passenger terminal and going to the Cargo Entry Branch office, or having a Customs broker do your legwork for you. The importer will also need to secure a bond from a licensed surety. No Forms, other than the Carnet, need to be filed for goods entered under an ATA Carnet.

What are the Importer's Obligations?

A Carnet holder is obligated to present the goods and Carnet to Customs to prove exportation. Failure to prove exportation on either a TIB or a Carnet subjects the importer to liquidated damages equal to 110 per cent of the duty and import tax. Goods imported under either a TIB or a Carnet may not be offered for sale.

Who issues ATA Carnets?

Domestic associations in participating countries that are members of the International Bureau of Chambers of Commerce issue Carnets to residents to be used abroad. The United States Council for International Business <http://www.uscib.org> (USCIB) has been designated by the US Customs Service as the United States issuing and guaranteeing organization. A fee is charged by the Council for its service. The guaranteeing organization is held liable for the payment of liquidated damages if the Carnet holder, such as the importer, fails to comply with Customs regulations.

How long is an ATA Carnet valid for?

An ATA Carnet is valid for one year from the date of its issuance. Merchandise listed on an ATA Carnet can be imported to and exported from any of the member countries as many times as needed during the one-year life of the Carnet.

What goods may be entered under an ATA Carnet?

Commercial samples, professional equipment and advertising material can be imported into the United States by a non-resident.

Other countries permit the use of a Carnet to import the above materials and other categories of goods such as :

- Ordinary goods such as computers, tools, cameras and video equipment, industrial machinery, automobiles, gems and jewellery, and wearing apparel.
- Extraordinary items, for example, Van Gogh's self-portrait, circus animals, jets, band instruments, satellites, human skulls, and the New York Philharmonic's equipment.

What does a ATA Carnet not cover?

Merchandise not covered by the three above listed categories of goods are not eligible for importation into the US by Carnet. In addition, merchandise within those three categories intended for sale or sale on approval cannot be entered on a Carnet – it must be entered as a regular Customs entry.



What happens if the goods are not exported?

If the holder of an ATA Carnet sells, donates or otherwise disposes of any of the goods listed on the Carnet, the issuing organization will be required to pay liquidated damages equal to 100 per cent of the import duties and taxes. That organization in turn will attempt to collect these moneys from the holder of the Carnet who violated the terms. In some cases, the country where the violation occurred will hold both the organization that issued the Carnet and the importer equally responsible. The importer is liable to his/her issuing association (and, in some cases, to the Customs authorities of the country where this transpired) for all duties and/or taxes and other sums which would normally be charged on the importation of such goods, as well as the amount charged as liquidated damages. If the US Customs Service finds that there was fraud involved in the importation, additional penalties may be assessed.

What happens when goods covered by a US-issued ATA Carnet are reimported into the US?

If goods covered by a US-issued Carnet are brought back into the United States within the validity period of the Carnet, the Carnet serves as the Customs control registration document and must be presented on re-importation. Whether the re-imported goods are subject to duty depends on exemption in the Harmonized Tariff Schedule [http : //www.usitc.gov/taffairs.htm](http://www.usitc.gov/taffairs.htm) and not on their status as Carnet goods. See 19 CFR 141.4 for goods that are exempted from entry documentation requirements and 19 CFR 141.2 for goods exempted from duty on re-importation.

What if the ATA Carnet has expired?

If the expiring ATA Carnet is a US-issued Carnet there will be no penalties or duties assessed by the United States, however, there may be penalties assessed by a foreign government if the Carnet expired before the US merchandise was exported from that country.

If the Carnet is foreign-issued then liquidated damages will be assessed by the US Customs Service due to the Carnet expiring before the merchandise could be exported out of the United States.

What is contained in an ATA Carnet document?

The Carnet document has a green cover page which provides the names of the Carnet holder and issuing association, the Carnet issue date, the Carnet number, the countries in which the Carnet may be used and a complete description of the goods covered. Two yellow sheets in the package are to be used upon exportation from and reimportation back into the issuing country. White sheets are used for the temporary importation into and reexportation from the second or additional countries. Blue sheets are used when transiting through countries.

Each sheet contains two parts – a counterfoil, which remains in the Carnet and describes the actions taken by Customs officers each time goods enter or leave a country, and a detachable voucher, which contains a list of the goods covered by the Carnet and serves as the required Customs document.

How is a US-issued ATA Carnet processed by Customs?

When leaving the United States, the holder of a US-issued ATA Carnet presents the Carnet and the covered goods to a Customs officer. The Carnet is reviewed for completeness and accuracy and the goods are examined to ensure that they match the Carnet list. The officer then validates the Carnet document and certifies the appropriate exportation counterfoil and voucher. The Carnet and the US Customs-certified export voucher are returned to the Carnet holder who retains the voucher as the permanent record of the Customs transaction. (Note : The Carnet does not affect export control requirements such as the filing of a shipper's export declaration or the requirement to obtain export licenses.) Upon return to the United States, the holder of a US-issued Carnet presents the Carnet and covered goods to a Customs officer for examination. The officer certifies the appropriate reimportation counterfoil and voucher and returns the Carnet to the holder for further use or surrender to the issuing association. (Note : On US-issued Carnets only, the vouchers of the yellow exportation/reimportation sheets will not be detached, but will remain with the document when departing or returning to the United States.)

It is the responsibility of the Carnet holder to present the Carnet to the Customs authorities when entering or leaving a country in order that the necessary verification and certification of the appropriate vouchers and counterfoils can take place. Failure to do so may result in a claim being made. A claim is a notice from a Customs authority of the country of import that a violation of the Carnet system has occurred and payment of duties, taxes, and penalty are required.

How is a non-US-issued ATA Carnet processed?

When processing a foreign-issued Carnet, Customs must create a record of the transaction in order to protect the revenue and domestic commerce. Therefore, the US Customs officer responsible for clearing the temporary importation must ensure that the port of importation, dates of Customs activities, and any departure from the original list of articles, are clearly shown in the appropriate fields.

When the merchandise leaves the US the Customs officer must ensure that the required exportation dates are complied with, that the original list of articles agrees with what is being exported, and that the appropriate voucher is detached and forwarded to the port of importation.

What countries use the ATA Carnet?

ATA Carnets can be used in the following countries :

Algeria	French Guyana	Luxembourg	Reunion Island
Andorra	French polynesia- including Tahiti	Macedonia	Romania
Australia	Germany	Macao	St. Barthelemy
Austria	Gibraltar	Malaysia	St. Martin, French part
Balearic Isles	Greece	Malta	St. Pierre
Belgium	Guadeloupe	Martinique	Senegal
Botswana	Bailiwick of Guernsey	Mauritius	Singapore
Bulgaria	Hong Kong	Mayotte	Slovakia
Canada	Hungary	Melilla	Slovenia
Canary Islands	Iceland	Miguelon	South Africa
Ceuta	India	Monaco	Spain
China	Ireland Isle of Man	Morocco	Sri Lanka
Corsica	Israel	Namibia	Swaziland
Croatia	Italy	Netherlands	Sweden
Cyprus	Ivory Coast	New Caledonia	Switzerland
Czechoslovakia	Japan	New Zealand	Tahiti
Denmark	Jersey	Norway	Tasmania
Estonia	Korea (Rep. of)	Poland	Taiwan
European Union	Lebanon	Portugal	Thailand
Finland	Lesotho	Puerto Rico	Tunisia
France	Liechtenstein		Turkey
			United Kingdom
			United States
			Wallis & Futuna Islands

The listed countries are Contracting Parties to the ATA Convention that established the ATA Carnet system. Countries are added to the ATA system periodically. Call the Council for International Business at (212) 354-4480 to determine if the country to which you are travelling accepts Carnets. The United States acceded to the ATA Convention on December 3, 1968 and began issuing ATA Carnets in late 1969.

(Source : EEPC Chicago Office)