



RURAL PAYMENTS AGENCY

Lancaster House, Hampshire Court, Newcastle upon Tyne, NE4 7YH

10 December 2014

NOTICE TO TRADERS 37/14

IMPORTS OF RICE UNDER COMMISSION REGULATION (EU) No. 1273/2011

Introduction

This notice explains how the rules are applied to this quota and how to apply for a licence. It also advises you of the quota amounts available in the 2015 marketing year (1st January 2015 to 31st December 2015) for semi milled, wholly milled, husked and broken rice. Details of the quantities available are fully outlined in Annex 1 of this notice.

Proof of Trade

The following must be supplied to be eligible for a rice quota licence and if you do not have proof of trade as per below, then you are not eligible and cannot apply.

1. You must be established and registered for VAT in the Member State where you apply. You must inform us of your current VAT registration number, which can be provided on the quota licence application. However, if your company is part of a group VAT registration number then we require a hardcopy of your current VAT certificate to be received before the quota deadline.
2. If this is your first application of the quota year you must provide evidence to prove that you have imported rice at least once during:-
 - the 12 month period immediately prior to the time of application; and
 - the 12 month period immediately prior to that.
3. You must supply the original import document (C88) form, or a copy certified as a 'true copy' of the original stamped by Customs. We will not accept photocopies of the Customs stamp or scanned versions of these documents.
4. We do not require endorsed C88 documents for electronic licence attributions. Instead you must provide:-
 - a schedule detailing the licence number
 - the date of import
 - weight of attribution; and
 - the import entry number for each electronic attribution

To request endorsement of a declaration at the time of entry, you should enter the code 'CAP11' in box 44 of your declaration. You do not need to enter any additional text with this code.

You must fax a copy of the entry and any supporting documents (clearly marked as 'request for endorsement') to the Her Majesty's Revenue and Customs (HMRC) National Clearance Hub (NCH) on 03000 588 3163.

5. HMRC agents or representatives cannot apply for import licences under these quota arrangements.

6. You can e-mail the HMRC National Clearance Hub at nch@hmrc.gsi.gov.uk.

C88s which were not endorsed at the time of import must be sent for their endorsement to:-

HMRC
National Clearance Hub
1st Floor West, Ralli Quays
Salford
M50 9HL

Telephone number: 03000 588 3163

Fax number: 03000 588 462

You should only request HMRC to endorse the number of copy entries necessary for the relevant regulation. If you send more copies than is necessary, it may delay the return of your endorsed copy entries.

Applications

7. To submit an application you must be registered with the RPA. If you are not registered then a company director or an individual legally responsible for the business must apply for a trader registration number by contacting our Customer Service Centre on 0345 603 7777. There have been recent changes to the website the new address is www.rpa.defra.gov.uk However, not all of the information is available on the website. If you require assistance with the forms detailed below please contact the Imports Team.

8. Applications must be submitted using an import licence application form. We advise you to use the new application form, which can be found in *Notice to Traders – No 27/13 – Improved import licence application procedure*.

The person signing the import licence application must be authorised. To become an authorised signatory, a letter of authority must be submitted. This can be found in *Notice to Traders 07/2011*. We recommend that the signatory is authorised before sending your application to avoid delays. For further information contact the Imports Team on the number below.

9. Applications can be submitted either by fax or electronic mail. If you intend to submit your application via electronic mail, please ensure that the email address it is sent from is approved by the RPA. For further information contact the Imports Team using the details below. We highly recommend that your email address is approved

before sending your application to the Trader@rpa.gsi.gov.uk mailbox as this will also avoid unnecessary delays.

10. Quota applications must be received during the first 10 working days of:-

January, April, July and September.

Each quota application period closes at 12 noon (UK time) on the 10th working day of the respective quota application periods. It is fully your responsibility to ensure that the application and all additional documentation is correct at the time of submission and is received by the RPA before 12 noon of the 10th working day.

Note: We will reject any applications where securities and / or proof of trade are received after 12 noon (UK time) on the 10th working day.

11. Any unused quota will be carried forward to the next application period. If the quota allocated during the application periods is not exhausted, there may be an additional subperiod during the first 10 working days in October.

12. Your application must not exceed the quantity available in each subperiod and the country of origin of product in which you are applying.

13. Applicants must not lodge more than 1 import licence application for the same quota order number in the same subperiod, unless it is accompanied by an export licence.

Note: If more than one application is lodged for the same quota order number, all of your applications will be rejected.

Security

14. Security must be lodged with each licence application, the following must be provided:

- €46 per tonne for applications under CN codes 1006 30;
- €30 per tonne for applications under CN codes 1006 20;
- €5 per tonne for applications under CN codes 1006 4000.

For further information on how to lodge your security see 'Section F' of the 'ET1 Leaflet'.

Applying for a licence

15. For information on how to complete an import licence application, please see our 'Notice to Traders 27/13' dated the 19/11/2013 on our website. In addition, the 'ET14 Leaflet, Section D' also provides guidance on how to complete an import application. However, as part of the rice import tariff quota, licence applications must include at least the following entries:-

- Box 8 of your application must state the country of origin of the product and you must select this as 'Yes'. Licences will carry an obligation to import from that exact country stated.

- Box 20 of your application must contain the correct import tariff quota order number.
- Depending on the quota you are applying for, box 24 must contain an entry. Details of the required entry can be found in the relevant quota section of Annex 1 in this notice.
- Applications for rice and broken rice originating in Thailand and rice originating in Australia or the United States under Articles 1(1)(a) and 1(1)(c) of Regulation (EU) No. 1273/2011 (Annex I.1 and I.3 of this notice) must be accompanied by the original export licence. The licence must have been completed in accordance with the model set out in Annexes II, III and IV of Regulation (EU) No. 1273/2011 and issued by the competent body in these countries.

The completion of sections 7, 8 and 9 of the Thai export licence is optional.

If you are unsure of the Combined Nomenclature (CN) code for your product (box 16) you should contact HMRC on 01702 366077 and they will be able to provide you with the correct code and description. If you already have the CN code for your product but are unsure of the description of the product which is required for box 15, you can either contact HMRC on the above number or refer to Appendix 16 of the 'ET14 Leaflet' on our website.

Issuing of Licences

16. The European Commission will notify us of the quantity of quota for which licences may be issued within 2 weeks of the application deadline (this may be less than the quantity applied for). Where this reduces the quantity to be issued to less than 20 tonnes lots will be drawn.

17. If the quantity of your licence has been reduced to less than 20 tonnes, you may withdraw your licence application within 2 working days of when the reduction is set.

18. When we have been notified by the Commission of the quantity of quota allocated, we will issue a licence within 3 working days.

19. Your licence will have a 5% upward tolerance. However, the reduction in duty will only be valid for the quantities shown in sections 17 and 18 of your licence.

20. Import licences will be valid from the day of issue plus either 2 or 3 months. Further details can be found in the relevant quota section of Annex 1 to this notice. Where an electronic licence is issued an email can be sent to inform you of its issuance. To receive this email notification you must have already completed the 'Email Acknowledgements'.

Using Licences

21. When making your import entry to HMRC, you must state whether your rice is in packages of:

- 5 kg or less; or
- Over 5 kgs.

Returning Licences

22. You must return your paper licences within 45 days of the expiry date. If you do not you will lose a proportion of your licence security.

Authority

23. You can find details of the arrangements in Commission Implementing Regulation (EU) No's, 1273/2011 and 1301/2006 published in Official Journals L325 of 2011 and L238 of 2006. You can obtain copies from Stationery Office bookshops and accredited agents, or order from the Stationery Office website (www.tso.co.uk).

You can also access Official Journals electronically by visiting the Commission's Europa website on (<http://eur-lex.europa.eu/en/index.htm>). We are not responsible for the accuracy or completeness of the Europa website. Whilst every care has been taken in producing this guidance, the regulations as published are definitive.

Questions

24. If you have any questions regarding this notice, please contact the Import Licensing section as follows:-

- Our telephone helpline number – (0191) 226 5050
- Our fax number – (0191) 226 5182
- Email contact – Trader@rpa.gsi.gov.uk

Annual Quota and Subperiods from 2007

1. 63,000 tonnes of semi-milled or wholly milled rice under CN Code 1006 30 imported at zero duty as follows:-

Country of Origin	Order Number	JAN	APR	JUL	SEP	OCT
United States	09.4127	9,681	19,360	9,680	-	
Thailand	09.4128	10,727	5,364	5,364	-	
Australia	09.4129	-	1,019	-	-	
Other Origins	09.4130	-	1,805	-	-	
All Countries	09.4138					*(1)
Total		20,408	27,548	15,044	-	-

****(1) Quota not allocated in the September subperiod will be carried over to October. Successful licence applications are valid from the date of issue until the end of the third month but not beyond 31 December.***

For this quota (CN Code 1006.30):-

- You must lodge security of €46 tonne.
- Box 20 of your application must contain:-

‘Order Number.....’

- Box 24 (comments box) of your application must contain:-

‘Exemption from customs duty up to the quantity indicated in boxes 17 and 18 of this licence (Implementing Regulation (EU) No 1273/2011).’

- Applications from Thailand, Australia and the United States must be accompanied by an original copy of an export licence, examples at Annexes II, III and IV of Regulation (EU) No 1273/2011.
- To clear your goods under the quantities from Other Countries you must present a certificate of origin to HM Revenue and Customs.

2. 1,634 tonnes of husked rice under CN Code 1006 20 imported at an ad valorem duty rate fixed at 15% as follows:-

Country of Origin	Order number	JAN	JUL	OCT
All Countries	09.4148	1,634	-	*(1)
Total		1,634	-	-

****(1) Quota not allocated in the July subperiod will be carried over to October. Successful licence applications are valid from the date of issue until the end of the third month but not beyond 31 December.***

For this quota (CN Code 1006 20):-

- You must lodge security of €30 tonne.
- Box 20 of your application must contain:-

‘Order Number 09.4148’

- Box 24 (comments box) of your application must contain:-

‘Customs duties limited to 15% ad valorem up to the quantity indicated in boxes 17 and 18 of this licence (Implementing Regulation (EU) No 1273/2011)’.

3. 100,000 tonnes of broken rice under CN Code 1006 4000 imported with a reduction of 30.77% on the applied rate of €65 per tonne as follows:

Country of Origin	Order number	JAN	JUL
Thailand	09.4149	36,400	15,600
Australia	09.4150	8,000	8,000
Guyana	09.4152	5,500	5,500
United States	09.4153	4,500	4,500
Other Countries	09.4154	6,000	6,000
Total		60,400	39,600

Successful licence applications are valid from the date of application until the end of the second month but not beyond 31 December.

For this quota (CN Code 1006 4000):-

- You must lodge security of €5 tonne.
- Box 20 of your application must contain:-

‘Order Number.....’

- Box 24 (comments box) of your application must contain:-

‘Reduced rate of duty of 30.77% of the duty set in Article 140 of Regulation (EC) No 1234/2007 up to the quantity indicated in boxes 17 and 18 of this licence (Implementing Regulation (EU) No 1273/2011’.

- Applications from Thailand must be accompanied by an original copy of an export licence, example at Annex II of Regulation (EU) No 1273/2011.
- To clear your goods under the quantities from Thailand, Australia, Guyana and Other Countries you must present a certificate of origin to HM Revenue and Customs.

4. 40,216 tonnes of semi-milled or wholly milled rice under CN Code 1006 30 imported at zero duty as follows:-

Country of Origin	Order number	JAN	JUL	SEP
Thailand	09.4112	5,513	-	-
United States	09.4116	2,388	-	-
India	09.4117	1,769	-	-
Pakistan	09.4118	1,595	-	-
Other Countries	09.4119	3,435	-	-
All Countries	09.4166	8,505	17,011	-
Total		23,205	17,011	

Successful licence applications are valid from the date of issue until the end of the third month but not beyond 31 December.

For this quota (CN Code 1006 30):-

- You must lodge security of €46 tonne.
- Box 20 of your application must contain:-

‘Order Number.....’

- Box 24 of your application must contain:-

‘Exemption from Customs duty up to the quantity indicated in boxes 17 and 18 of this licence (Implementing Regulation (EU) No 1273/2011, Article 1(1)(d))’.

- To clear your goods under the quantities from Thailand, USA, India, Pakistan and Other Countries you must present a certificate of origin to HM Revenue and Customs.

5. 31,788 tonnes of broken rice under CN Code 1006 4000 at zero duty as follows:-

	Order number	SEP	OCT
All Countries	09.4168	31,788	*(1)
Total		31,788	-

****(1) Quota not allocated in the September subperiod will be carried over to October. Successful licence applications will be valid from the date of application until the end of the second month but not beyond 31 December.***

For this quota (CN Code 1006 4000):-

- You must lodge security of €5 tonne.
- Box 20 of your application must contain:-

‘Order Number 09.4168’

- Box 24 (comments box) of your application must contain:

‘Exemption from customs duty up to the quantity indicated in boxes 17 and 18 of this licence (Implementing Regulation (EU) No 1273/2011, Article 1(1)(e)’.

Checklist for your reference prior to submission of a rice quota import licence application

Presenting a correct application will assist us in the processing of your quota import licence.

Before submitting your application, check the following details are correct:-

- Is the quota order number correct for the commodity code and country, which you have applied for?
- Check the rate of security used is correct, i.e. €46, t€30 or €5 per tonne.
- Does the security amount calculated cover the quantity applied for?
- Is it the correct description against the required commodity (CN) code?
- Has your proof of trade and a valid VAT certificate been supplied / submitted for the current quota year?
- Is the form signed and dated by an authorised individual?

If you are unsure of any details then the following will provide further information:-

- **ET14 provides the list of descriptions**
- **Annex 1 of this NTT.**
- **Import Licensing section contact details are shown in the NTT.**