

'APPROVED MOTOR TRADER'

An Approved Motor Trader is a person or company approved by Customs & Immigration who import vehicles as 'stock in trade'. Approved Motor Traders may benefit from having the Vehicle Emission Duty (VED) on imported vehicles suspended for a maximum of 12 months whilst the vehicles are stock intrade.

In order to benefit from the Approved Motor Trader status you must be a person or persons actively operating a formal business on a full or part-time basis selling vehicles for profit.

'Stock in Trade' means new or second hand motor vehicles which are intended to be sold within 12 months of their importation. Such vehicles shall not cease to be stock in trade where they are temporarily put to use in the Approved Motor Trader's business.

Approved Motor Traders must abide by the following **TERMS AND CONDITIONS**:

1. To abide by the terms of Agent's Directive No. 3.
2. To maintain account details on CAESAR at all times (e.g. change of trading address, change of status concerning GST registration, etc); this in order to ensure that vehicles imported by the applicant are correctly identified by CAESAR as having been consigned to an Approved Trader.
3. To include either the Approved Trader Number or GST Registration Number within any order details given to suppliers of vehicles shipped to Jersey in order to assist with goods clearance.
4. To agree to the disclosure of company name and address within a list of Approved Traders, to be circulated to relevant parties (e.g. shipping companies, airlines, etc).
5. To undertake that any vehicles which are taken from the stock in trade and registered with the Driver & Vehicle Standards Department by the Approved Trader will be declared to Customs and/or Income Tax as per the regulations in condition 6. (The VED liability for vehicles sold by the Trader within the 12 month VED suspension period and then registered by the purchaser is the responsibility of Approved Motor Trader.)
6. To make Import Declarations and account for GST and VED as follows:
 - i. **In the case of non-GST registered businesses:**
 - To confirm on-line, via the Customs website, vehicle registration data assigned to the Approved Motor Trader statement of account within 30 days. To acknowledge failure to comply with this will result in VED being charged to the account
 - To make payment of any import GST that is due on such vehicles to the Customs Service within 30 days of import
 - To make payment of any VED that is due on such vehicle to the Customs Service within 30 days of the 12 month suspension period
 - To finalise the declaration on-line, via the Customs website, and pay any outstanding duties for vehicles which remain unsold at the end of the 12 month suspension period

ii. In the case of GST registered businesses:

- To confirm on-line, via the Customs website, vehicle registration data assigned to the Approved Motor Trader statement of account within 30 days. To acknowledge failure to comply with this will result in VED being charged to the account
 - To make payment of any VED that is due on such vehicle to the Customs Service within 30 days of the 12 month suspension period
 - To account for the value of goods imported within their GST quarterly return required by the Comptroller of Income Tax (this rather than making Import Declaration to Customs for consignments where only GST is due)
 - To finalise the declaration on-line, via the Customs website, and pay any outstanding duties for vehicles which remain unsold at the end of the 12 month suspension period
7. To acknowledge that the imports consigned to Approved Traders do not benefit from the de-minimis waiver.
 8. To create the proper authorisation, under their CAESAR account, for any Approved Clearance Agent appointed by them.
 9. To take all necessary steps to ensure that all persons authorised to make Import Declarations under the terms of these clearance arrangements are adequately trained to do so.
 10. To ensure that staff responsible for receiving vehicles into Trader's premises and for making Import Declarations are made aware of the relevant terms of this undertaking and Agent's Directive No. 3.
 11. To maintain proper trader records relating to imported vehicles as prescribed in Agent's Directive No. 3.
 12. To make available in Jersey all relevant records to Jersey Customs, on request, for audit purposes.
 13. To authorise the disclosure to Jersey Customs of relevant records held by third parties outside the Island concerning any goods consigned to the applicant and granted fast track clearance under this Undertaking.
 14. To notify Customs immediately in the event of any imported goods being found to be prohibited or restricted, or suspected to be so.
 15. To agree that in the event of the Approved Trader's account being suspended or revoked by Customs due to non-compliance with these terms and conditions or any other Customs requirements, full settlement of any arrears will be made on demand.
 16. To agree that upon account suspension or revocation, if the Trader fails to settle any arrears on demand, vehicles subsequently imported by the Trader may be held by Customs as security against those outstanding arrears, irrespective of whether those goods have been subject to Import Declaration and any Customs duties.
 17. To agree that three months after account suspension or revocation, if the Trader has not settled his arrears in full, Customs may freely dispose of any goods subsequently

imported and detained as security. Monies received from the disposal of the goods shall be off-set against the Trader's outstanding arrears and the balance returned to the Trader.

18. To agree that after account suspension or revocation, Customs may require the Trader to demonstrate a period of satisfactory account management before any application to be re-instated as an Approved Trader is considered (this period shall be at the absolute discretion of Customs).
19. To acknowledge that the Agent of the Impôts can revoke or amend this Undertaking at any time.
20. To acknowledge that in the event of failure to abide by the terms of this undertaking without reasonable excuse, the status of Approved Motor Trader may be suspended or revoked as the Agent of the Impôts sees fit.
21. To acknowledge that, notwithstanding any other penalties that may be applicable under the Law, Article 25 (6) of the Customs and Excise (Jersey) Law 1999 ('Entry of goods on importation') states: "If the proprietor or consignee fails to comply with any of the provisions of this Article, the proprietor or consignee shall be liable to a fine.
22. To notify Customs, before making Import Declaration, of any discrepancies between goods ordered and goods received, however, in the case of GST registered businesses, proper account should be made to the Comptroller of Income Tax within the quarterly return instead.