

LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

Ministry of Finance

No.1537/MOF
Vientiane Capital, dated: 04 June 2012

Instruction
of the Minister of Finance
on Customs Valuation of Imported Goods

Pursuant to Law on Customs No.04/NA, dated 20 December 2011,
Chapter 2 Article 13 regarding the customs valuation of imported
goods;

The Minister of Finance issues an instruction as follows:

Section 1
General Provision

Article 1 Objectives

This Instruction sets forth rules and methods for customs valuation to serve as the basis for the calculation of customs duties and other obligations on imported goods in a uniform manner throughout the country, aiming to ensure effective revenue collection for the state budget.

Article 2 Definition of Terms

Terms used in this Instruction shall have the following meanings:

1. "goods" means goods and passenger belongings as covered by the Customs Law;
2. "imported Goods" means goods imported into Lao PDR;
3. "customs value of imported goods" means the value of goods for the purposes of levying ad valorem duties of customs on imported goods;
4. "produced" includes grown, manufactured and mined;
- 5.

engineering, development, artwork, design work, and plans and sketches for which no adjustment has been made under Article 10.1.2(iv) because such elements were undertaken in Lao PDR. Goods produced by a different person shall be taken into account only when there are no identical goods, as the case may be, produced by the same person as the goods being valued.

6. "similar goods" means goods which, although not alike in all respects, have like characteristics and like component materials which enable them to perform the same functions and to be commercially interchangeable. The quality of the goods, their reputation and the existence of a trademark are among the factors to be considered in determining whether goods are similar. Goods shall not be regarded as "similar goods" if they were not produced in the same country as the goods being valued. The term: "similar goods" do not include, as the case may be, goods which incorporate or reflect engineering, development, artwork, design work, and plans and sketches for which no adjustment has been made under Article 10.

Section 2
Methods of Customs Valuation

Article 4 Customs Valuation by the Transaction Value

1. The customs value of imported goods shall be the transaction value, that is the price actually paid or payable for the goods when sold for export to Lao PDR adjusted in accordance with the provisions of Article 10 of this Instruction, provided:

2. Where the costs and charges referred to in Article 10.1.5 of this Instruction are included in the transaction value, an adjustment shall be made to take account of significant differences in such costs and charges between the imported goods and the identical goods in question arising from differences in distances and modes of transport.

2. Customs Administration may not require or compel any person not resident in Lao PDR to produce for examination, or to allow access to, any account or other record for the purposes of determining a computed value.

3. No additions shall be made to the price actually paid or payable in determining the

The importer shall have the right to an explanation from the Customs Administration as to how the customs value of the importer's goods was determined, by submitting a written request to the Customs Administration who shall reply in writing within thirty days of the receipt of such request within thirty days from the receipt of such request.

Section 4 Final Provisions

Article 17 Implementation

Customs Department shall issue detailed instructions on the implementation of Customs Valuation in compliance with this Instruction.

Article 18 Effectiveness

This Instruction is effective from the date of its signing and replaces Instruction of the Minister of Finance No.1398/MOF, dated 16 June 2010.