



DEPARTAMENTO ACUERDOS INTERNACIONALES

OFICIO CIRCULAR N° 459

MAT.: Acuerdo Complementación Económica
N° 17, Chile-México. Tránsito por tercer
país. Modifica Oficio Circular N° 313, de
27.03.97.

REF.: Artículo 10 del ACE N° 17 y Oficio
Circular N° 313, de 1997.

VALPARAÍSO,

22 MARZO 1998

DE : DIRECTOR NACIONAL DE ADUANAS
A : SEÑORES SUBDIRECTORES; JEFES DE DEPARTAMENTOS;
DIRECTORES REGIONALES Y ADMINISTRADORES DE ADUANAS

1. El inciso 2° del Artículo 10 del ACE N° 17, Chile-México, dispone que las mercancías transportadas en tránsito por un tercer país, desde un país signatario con destino al territorio del otro país signatario, se considerará como expedición directa siempre que, entre otros, dichas especies permanezcan bajo la vigilancia de la autoridad aduanera competente de tales terceros estados. Sólo cumplido lo anterior y las demás exigencias que dicha norma establece, las mercancías no perderán el origen que respecto de las mismas se invoque.
2. Sobre la base de lo dispuesto en la norma antes citada y considerando lo prescrito en el artículo 4°, de la Resolución N° 78 de la ALADI, mediante Oficio Circular N° 313, de esta Dirección Nacional de Aduanas, de 12.09.97, se establecieron los antecedentes que deben considerarse a objeto de dar cumplimiento a las normas referidas.
3. Teniendo presente que el tema en referencia, esto es, el tránsito de mercancías originarias por terceros países es un asunto recurrente en otros acuerdos suscritos por Chile y considerando la necesidad de establecer criterios uniformes en todos ellos, se ha dispuesto reemplazar el número 4, del Oficio Circular N° 313 antes citado, quedando como sigue:
"4. A efectos de dar cumplimiento a la exigencia de expedición directa dispuesta en el inciso 2°, del artículo 10, del ACE N° 17, Chile-México y sin perjuicio de los demás requisitos que esta norma considera, se deberá contar con:
 - 4.1. Un documento de destinación aduanera emitido o visado por la aduana del tercer país de tránsito, completo, en original, copia, fotocopia o fax.**

Para el caso de mercancías que transiten en el territorio de los Estados Unidos de Norteamérica, el Formulario N° 7512, completo, firmado o troquelado, en original, copia, fotocopia o fax, firmado o troquelado, cumple las exigencias dispuestas en el párrafo anterior.

En caso que los documentos referidos en los párrafos precedentes se encuentren incompletos, se otorga un plazo de 30 días corridos para completar el documento respectivo.



4.2 En caso que no se cuente con los documentos de destinación referidos en el N° 4.1, o no se hubiera podido completar dentro del plazo establecido en el párrafo anterior, se deberá disponer de carta o documento emitido por la empresa de transporte, embarcador u otro agente interviniente en la operación comercial que acredite el cumplimiento de lo dispuesto en el inciso 2° del artículo 10 del ACE N° 17, Chile-México, esto es, certificar que la mercancía no sufrió modificación ni alteración de ningún orden que le haga perder el origen durante su tránsito por el territorio del tercer país.

Los documentos a que se refiere este número deberán ser concordantes con los documentos de base de la importación, en especial con el o los conocimientos de embarque o guías aéreas, según proceda.

Sin perjuicio de lo dispuesto en el inciso 2°, del Artículo 10, del ACE N°17, Chile-México, los documentos a que se refiere este número constituyen documentos de base de la declaración de importación, de acuerdo a lo prescrito en el Artículo 98 de la Ordenanza de Aduanas."

4. En lo demás, deberá darse cumplimiento a lo dispuesto en el artículo 10, del ACE N° 17, Chile-México y en la Resolución N° 78, de la ALADI.

Saluda atentamente a Ud.,

ENRIQUE FANTA IVANOVIC
DIRECTOR NACIONAL DE ADUANAS

**TRANSPORTATION ENTRY AND MANIFEST
OF GOODS SUBJECT TO CBP
INSPECTION AND PERMIT**

Entry No. _____
Port _____
Date _____

Entry No. _____
Class of Entry _____
(I.T.) (T.E.) (WD.1E) (Drawback, etc.)

U.S. Customs and Border Protection

PORT CODE NO. _____ FIRST U.S. PORT OF UNLADING _____

PORT OF _____ DATE _____

Entered or imported by _____ Importer/IRS # _____ to be shipped
in bond via _____ (C.H.L number) (Vessel or carrier) (Car number and initial) (Pier or station) consigned to
CBP Port Director _____ Final foreign destination _____
Consignee _____ (For exportations only)

Foreign port of lading _____ (At CBP port of exit or destination)
B/L No. _____ Date of sailing _____
(Above information to be furnished only when merchandise is imported by vessel)

Imported on the _____ Flag _____ on _____ via _____
(Name of vessel or carrier and motive power) (Date imported) (Last foreign port)

Exported from _____ on _____ Goods now at _____
(Country) (Date) (Name of warehouse, station, pier, etc.)

Marks and Numbers of Packages	Description and Quantity of Merchandise Number and Kind of Packages (Describe fully as per shipping papers)	Gross Weight in Pounds	Value (Dollars only)	Rate	Duty

G.O. No. _____ Check if withdrawn for Vessel supplies (19 U.S.C. 1309)

**CERTIFICATE OF LADING FOR TRANSPORTATION IN BOND
AND/OR LADING FOR EXPORTATION FOR**

WITH THE EXCEPTIONS NOTED ABOVE, THE WITHIN-DESCRIBED GOODS WERE:

Delivered to the Carrier named above, for delivery to the CBP Port Director at destination sealed with CBP seals Nos. _____ or the packages (were) (were not) labeled, or corded and sealed.

Laden on the-- _____ (Port)
(Vessel, vehicle, or aircraft)
which cleared for-- _____
on _____ (Date)
as verified by export records.

(Inspector)

(Date)

(Inspector)

(Date)

I truly declare that the statements contained herein are true and correct to the best of my knowledge and belief.

Entered or withdrawn by _____

To the Inspector: The above-described goods shall be disposed of

For the Port Director

Received from the Port Director of the above CBP location the merchandise described in this manifest for transportation and delivery into the custody of the CBP officers at the port named above, all packages in apparent good order except as noted hereon.

Attorney or Agent of Carrier

INSTRUCTIONS

Consult CBP officer or Part 18, Customs Regulations, for the appropriate number of copies required for entry, withdrawal, or manifest purposes.

For the purpose of transfer under the cartage or lighterage provisions of a proper bond to the place of shipment from the port of entry, extra copies bearing a stamp, or notation as to their intended use may be required for local administration.

As the form is the same whether used as an entry or withdrawal or manifest, all copies may be prepared at the same time by carbon process, unless more than one vessel or vehicle is used, in which case a separate manifest must be prepared for each such vessel or vehicle.

Whenever this form is used as an entry or withdrawal, care should be taken that the kind of entry is plainly shown in the block in the upper right-hand corner of the face of the entry.

This form may be printed by private parties provided that the supply printed conforms to the official form in size, wording arrangement, and quality and color of paper.

RECORD OF CARTAGE OR LIGHTERAGE
Delivered to Cartman or Lighterman in apparent good condition except as noted on this form

Conveyance	Quantity	Date	Delivered	Received	Received
			(Inspector)	(Cartman or Lighterman)	(Date) (Inspector)
			(Inspector)	(Cartman or Lighterman)	(Date) (Inspector)
			(Inspector)	(Cartman or Lighterman)	(Date) (Inspector)
Total			(Inspector)	(Cartman or Lighterman)	(Date) (Inspector)

(Warehouse proprietor)

CERTIFICATES OF TRANSFER. (If required)

I certify that within-described goods were transferred by reason of _____
to _____
on _____, at _____
and sealed with _____ or seals
Nos. _____, and that
goods were in same apparent condition as noted on
original lading except _____

Inspector, Conductor, or Master

I certify that within-described goods were transferred by reason of _____
to _____
on _____, at _____
and sealed with _____ or seals
Nos. _____, and that
goods were in same apparent condition as noted on
original lading except _____

Inspector, Conductor, or Master

INSPECTED

at _____
on _____ (Date)
and seals found _____

Inspector

If transfer occurs within city limits of a CBP port or station, CBP officers must be notified to supervise transfer.

INSPECTOR'S REPORT OF DISCHARGE AT DESTINATION

Port _____ Station _____ (Date) _____

TO THE PORT DIRECTOR: Delivering line _____ Car No. _____ Initial _____
Arrived _____ (Date) Condition of car _____, of seals _____, of packages _____

Date of Delivery to Importer, or Gen. Order	Packages	No. and Kind of Entry or General Order	Bonded Truck or Lighter No.	Conditions, Etc.

I certify above report is correct. _____, Inspector.

PAPERWORK REDUCTION ACT NOTICE: The Paperwork Reduction Act says we must tell you why we are collecting this information, how we will use it, and whether you have to give it to us. We ask for the information in order to carry out the laws and regulations administered by U.S. Customs and Border Protection. These regulations and form apply to carriers and brokers who are transporting merchandise in-bond from a port of importation to another CBP port prior to final release of the merchandise from CBP custody. It is mandatory. The estimated average burden associated with this collection of information is 10 minutes per respondent depending on individual circumstances. If you have any comments regarding the burden estimate you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9th Street, NW, Washington, DC 20229.