

IMPORT CONTROLS POLICY



This document sets out the University's policy governing import controls

Version	1.1
Executive Sponsor	Chief Operating Officer
Officer Responsible for Policy/ Procedures	Director of Finance
Consultation Process	Executive
Date of Approval and Committee and/or Executive Officer	Chief Operating Officer
Effective Date	18 December 2020

1. SCOPE OF THE POLICY

1.1 Purpose of the Policy

The purpose of the Policy is to support the University's compliance with UK and other applicable import controls.

1.2 What is covered by the Policy

This Policy:

- sets out the principles that all staff, business partners and contractors must follow; and
- provides further guidance on UK import controls.

1.3 Who is covered by the Policy

All staff, joint venture and business partners, contractors, and suppliers to the University must comply with the Policy.

The Policy does not form part of any employee's contract of employment and may be amended at any time.

1.4 Breach of this Policy

Any breach of this Policy and its associated procedures by staff will be investigated in accordance with the University's disciplinary procedure. A serious breach may amount to gross misconduct, and could therefore result in summary dismissal. A breach of export controls and trade sanctions may also result in an obligation arising for the staff member being reported by the University to HM Revenue & Customs ("**HMRC**").

Any breach of this Policy and its associated procedures by business partners, contractors and other third parties will be investigated and any breach may result in relevant contracts being terminated and the third party being reported by the University to HMRC.

1.5 Policy Ownership

The Executive has approved this Policy. The Chief Operating Officer is the Executive sponsor and the Director of Finance is the officer responsible for the Policy. Any questions about the operation of this Policy or any concerns that the Policy has not been followed should be referred in the first instance to the Director of Finance.

2. THE POLICY STATEMENT

2.1 Guiding Principles

- The University is committed to complying with applicable import laws and customs processes.
- The University will check if a specific import licence is needed.
- The University will not import, directly or indirectly, from a country subject to a trade embargo which prohibits imports from that country.
- The University will ensure it pays the correct duties and VAT.
- To be engaged by the University, the Customs Agent must be listed on the UK Government's website listing customs agents and fast parcel operators. As at the Effective Date of this Policy: <https://www.gov.uk/guidance/list-of-customs-agents-and-fast-parcel-operators>.

2.2 Import Controls Procedure

This Policy is implemented by the Import Controls Procedure.

3. FURTHER INFORMATION

3.1 Import Licences

The Import of Goods (Control) Order 1954, enacted under the Import, Export and Customs Powers (Defence) Act 1939, provides that all imports to the UK are prohibited, other than those goods imported under a licence.

Importers should not arrange to ship any goods to the UK until they have obtained a licence or have ascertained definitely that a licence will be granted or that a separate licence is not required.

The University expects all imports to be made in accordance with the Open General Licence which lists all the national trade control measures that allow the prohibition or control of goods imported in the UK ([Open General Import Licence 21 April 2020 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/434241/open-general-import-licence-21-april-2020.pdf)).

Certain items are banned from being imported from certain countries in accordance with the Open General Import Licence. Specific advice should be taken before importing from any of these countries in accordance with the Imports Controls Procedure.

3.2 Exceptions from General Control

An import licence is not required for goods (other than firearms, ammunition and plumage) imported in the following circumstances:

- Bona fide trade samples;
- UK export trade samples;
- Returned goods;
- Goods imported for repair and re-export;
- Personal or household effects;
- Printed trade advertising material;
- Gifts addressed to individuals in the UK;
- Motor cars.

However, even if the goods do not require a specific import licence, they may still come under other prohibitions and restrictions for health and safety or security reasons. For example, imports of food, plants or live animals generally need to conform with UK safety regulations.

In accordance with the Import Controls Procedure, advice should always be taken if you are unsure whether the goods to be imported to the UK are subject to prohibitions and restrictions, as otherwise the goods may be liable to forfeiture. Importers could also be liable to heavy penalties as prescribed for such offences as well as for smuggling, false declarations and dealings in prohibited goods.

3.3 Customs Declarations

Chargeable goods presented to customs on import from outside the UK must be declared for a customs procedure by making a customs declaration.

Goods may be declared for the following customs procedures:

- **The free-circulation procedure.** If the declaration is accepted, this triggers any import duty liability and the goods are released for free circulation in the UK when the duty is paid.

- **A special customs procedure** (meaning, a storage procedure, a transit procedure, an inward processing procedure, an authorised use procedure or temporary admission procedure). For goods released to a special customs procedure, import duty is reduced or postponed.

In accordance with the Import Controls Procedure, these obligations will be undertaken by appointed third parties.



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