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Title :	Customs Import Tariff 
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Date :	2014.01.22
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Legislative :	1.Established and published on December 7, 1928 and promulgated on February 21, 1929. 2.As amended on January 14, 1931 3.As amended on June 30,1934 4.As amended on June 14, 1937 5.As amended on April 13, 1948 6.As amended on August 2, 1948 7.As amended on October 30, 1948 8.As amended on July 26, 1949 9.As amended on August 20, 1949 10.As amended on September 28, 1949 11.As amended on January 20, 1950 12.As amended on January 30, 1950 13.As amended on May 30, 1950 14.As amended on January 15, 1955 15.As amended on August 19, 1959 16.As amended on September 2, 1965 17.As amended on August 24, 1971 18.As amended on July 22, 1972 19.As amended on August 23, 1973 20.As amended on July 9, 1974 21.As amended on December 28, 1974 22.As amended on June 22, 1975 23.As amended on June 28, 1976 24.As amended on March 15, 1977 25.As amended on July 19, 1977 26.As amended on January 14, 1978 27.As amended on January 14, 1978 28.As amended on July 28, 1978 29.As amended on July 6, 1979 30.As amended on August 30, 1980 31.As amended on July 10, 1982 32.As amended on January 25, 1984 33.As amended on January 22, 1985 34.As amended on January 30, 1986 35.As amended on January 16, 1987 36.As amended on February 6, 1988 37.As amended on December 30, 1988 38.As amended on August 7, 1989 39.As amended on December 30, 1991 40.As amended on July 12, 1995 41.As amended on May 30, 1997 42.As amended on October 11, 2001 43.As amended on December 21, 2001 44.As amended on December 31, 2002 45.As amended on June 11, 2003 46.As amended on June 25, 2003 47.As amended on December 17, 2003 48.As amended on February 05, 2005 49.As amended on June 21, 2006 50.As amended on February 14, 2007 51.As amended on January 30, 2008 52.As amended on December 30, 2008 53.As amended on June 15, 2010 54.As amended on September 01, 2010 55.As amended on November 28, 2012 56.As amended on November 27, 2013 57.As amended on January 22, 2014
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Content :

- 1 Customs import tariff
- Contents of Each Chapter
- Sec. I LIVE ANIMALS; ANIMAL PRODUCTS
- Ch. 1 Live animals
- Ch. 2 Meat and edible meat offal

Ch. 3 Fish and crustaceans, mollusks and other aquatic invertebrates

Ch. 4 Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included

Ch. 5 Products of animal origin, not elsewhere specified or included

Sec. II VEGETABLE PRODUCTS

Ch. 6 Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage

Ch. 7 Edible vegetables and certain roots and tubers

Ch. 8 Edible fruit and nuts; peel of citrus fruit or melons

Ch. 9 Coffee, tea, mate and spices

Ch. 10 Cereals

Ch. 11 Products of the milling industry; malt; starches; inulin; wheat gluten

Ch. 12 Oil seeds and oleaginous fruit; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder

Ch. 13 Lac; gums, resins and other vegetable saps and extracts

Ch. 14 Vegetable plaiting materials; vegetable products not elsewhere specified or included

Section III ANIMAL OR VEGETABLE FATS AND OILS AND THEIR CLEAVAGE PRODUCTS; PREPARED EDIBLE FATS; ANIMAL OR VEGETABLE WAXES

Ch. 15 Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes

Section IV PREPARED FOODSTUFFS; BEVERAGES, SPIRITS AND VINEGAR; TOBACCO AND MANUFACTURED TOBACCO SUBSTITUTES

Ch. 16 Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates

Ch. 17 Sugars and sugar confectionery

Ch. 18 Cocoa and cocoa preparations

Ch. 19 Preparations of cereals, flour, starch or milk; pastrycooks' products

Ch. 20 Preparations of vegetables, fruit, nuts or other parts of plants

Ch. 21 Miscellaneous edible preparations

Ch. 22 Beverages, spirits and vinegar

Ch. 23 Residues and waste from the food industries; prepared animal fodder

Ch. 24 Tobacco and manufactured tobacco substitutes

Section V MINERAL PRODUCTS

Ch. 25 Salt; sulphur; earths and stone; plastering materials, lime and cement

Ch. 26 Ores, slag and ash

Ch. 27 Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes

Section VI PRODUCTS OF THE CHEMICAL OR ALLIED INDUSTRIES

Ch. 28 Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes

Ch. 29 Organic chemicals

Ch. 30 Pharmaceutical products

Ch. 31 Fertilisers

Ch. 32 Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks

Ch. 33 Essential oils and resinoids; perfumery, cosmetic or toilet preparations

Ch. 34 Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, "dental waxes" and dental preparations with a basis of plaster

Ch. 35 Albuminoidal substances; modified starches; glues; enzymes

Ch. 36 Explosives; pyrotechnic products; matches; pyrophoric

alloys; certain combustible preparations
 Ch. 37 Photographic or cinematographic goods
 Ch. 38 Miscellaneous chemical products
 Section VII PLASTICS AND ARTICLES THEREOF; RUBBER AND ARTICLES THEREOF
 Ch. 39 Plastics and articles thereof
 Ch. 40 Rubber and articles thereof
 Section VIII RAW HIDES AND SKINS, LEATHER, FURSKINS AND ARTICLES THEREOF; SADDLER AND HARNESS; TRAVEL GOODS, HANDBAGS AND SIMILAR CONTAINERS; ARTICLES OF ANIMAL GUT (OTHER THAN SILK-WORM GUT)
 Ch. 41 Raw hides and skins (other than furskins) and leather
 Ch. 42 Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silkworm gut)
 Ch. 43 Furskins and artificial fur; manufactures thereof
 Section IX WOOD AND ARTICLES OF WOOD; WOOD CHARCOAL; CORK AND ARTICLES OF CORK; MANUFACTURES OF STRAW, OF ESPARTO OR OF OTHER PLAITING MATERIALS; BASKETWARE AND WICKERWORK
 Ch. 44 Wood and articles of wood; wood charcoal
 Ch. 45 Cork and articles of cork
 Ch. 46 Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork
 Section X PULP OF WOOD OR OF OTHER FIBROUS CELLULOSIC MATERIAL; RECOVERED (WASTE AND SCRAP) PAPER OR PAPERBOARD; PAPER AND PAPERBOARD AND ARTICLES THEREOF
 Ch. 47 Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) paper or paperboard
 Ch. 48 Paper and paperboard; articles of paper pulp, of paper or of paperboard
 Ch. 49 Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans
 Section XI TEXTILES AND TEXTILE ARTICLES
 Ch. 50 Silk
 Ch. 51 Wool, fine or coarse animal hair; horsehair yarn and woven fabric
 Ch. 52 Cotton
 Ch. 53 Other vegetable textile
 Ch. 54 Man-made filaments
 Ch. 55 Man-made staple fibres
 Ch. 56 Wadding, felt and nonwovens; special yarns; twine, cordage, ropes and cables and articles thereof
 Ch. 57 Carpets and other textile floor coverings
 Ch. 58 Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery
 Ch. 59 Impregnated, coated, covered or laminated textile fabrics; textile articles of a kind suitable for industrial use
 Ch. 60 Knitted or crocheted fabrics
 Ch. 61 Articles of apparel and clothing accessories, knitted or crocheted
 Ch. 62 Articles of apparel and clothing accessories, not knitted or crocheted
 Ch. 63 Other made up textile articles; sets; worn clothing and worn textile articles; rags
 Section XII FOOTWEAR, HEADGEAR, UMBRELLAS, SUN UMBRELLAS, WALKING-STICKS, SEAT-STICKS, WHIPS, RIDING-CROPS AND PARTS THEREOF; PREPARED FEATHERS AND ARTICLES MADE THERE WITH; ARTIFICIAL FLOWERS; ARTICLES OF HUMAN HAIR
 Ch. 64 Footwear, gaiters and the like; parts of such articles
 Ch. 65 Headgear and parts thereof
 Ch. 66 Umbrellas, sun umbrellas, walking-sticks, seat-sticks, whips, riding-crops, and parts thereof
 Ch. 67 Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair
 Section XIII ARTICLES OF STONE, PLASTER, CEMENT, ASBESTOS, MICA OR SIMILAR MATERIALS; CERAMIC PRODUCTS; GLASS AND GLASSWARE
 Ch. 68 Articles of stone, plaster, cement asbestos, mica or

similar materials
Ch. 69 Ceramic products
Ch. 70 Glass and glassware
Section XIV NATURAL OR CULTURED PEARLS, PRECIOUS OR SEMI-
PRECIOUS STONES, PRECIOUS METALS, METALS CLAD WITH PRECIOUS
METAL AND ARTICLES THEREOF; IMITATION JEWELLERY; COIN
Ch. 71 Natural or cultured pearls, precious or semi-precious
stones, precious metals, metals clad with precious metal, and
articles thereof; imitation jewellery; coin
Section XV BASE METALS AND ARTICLES OF BASE METAL
Ch. 72 Iron and steel
Ch. 73 Articles of iron or steel
Ch. 74 Copper and articles thereof
Ch. 75 Nickel and articles thereof
Ch. 76 Aluminium and articles thereof
Ch. 78 Lead and articles thereof
Ch. 79 Zinc and articles thereof
Ch. 80 Tin and articles thereof
Ch. 81 Other base metals; cermets; articles thereof
Ch. 82 Tools, implements, cutlery, spoons and forks, of base
metal; parts thereof of base metal
Ch. 83 Miscellaneous articles of base metal
Section XVI MACHINERY AND MECHANICAL APPLIANCES; ELECTRICAL
EQUIPMENT; PARTS THEREOF; SOUND RECORDERS AND REPRODUCERS,
TELEVISION IMAGE AND SOUND RECORDERS AND REPRODUCERS, AND PARTS
AND ACCESSORIES OF SUCH ARTICLES
Ch. 84 Nuclear reactors, boilers, machinery and mechanical
appliances; parts thereof
Ch. 85 Electrical machinery and equipment and parts thereof;
sound recorders and reproducers, television image and sound
recorders and reproducers, and parts and accessories of such
articles
Section XVII VEHICLES, AIRCRAFT, VESSELS AND ASSOCIATED
TRANSPORT EQUIPMENT
Ch. 86 Railway or tramway locomotives, rolling-stock and parts
thereof; railway or tramway track fixtures and fittings and
parts thereof; mechanical (including electro-mechanical) traffic
signalling equipment of all kinds
Ch. 87 Vehicles other than railway or tramway rolling-stock, and
parts and accessories thereof
Ch. 88 Aircraft, spacecraft, and parts thereof
Ch. 89 Ships, boats and floating structures
Section XVIII OPTICAL, PHOTOGRAPHIC, CINEMATOGRAPHIC, MEASURING,
CHECKING, PRECISION, MEDICAL OR SURGICAL INSTRUMENTS AND
APPARATUS; CLOCKS AND WATCHES; MUSICAL INSTRUMENTS; PARTS AND
ACCESSORIES THEREOF
Ch. 90 Optical, photographic, cinematographic, measuring,
checking, precision, medical or surgical instruments and
apparatus; parts and accessories thereof
Ch. 91 Clocks and watches and parts thereof
Ch. 92 Musical instruments; parts and accessories of such
articles
Section XIX ARMS AND AMMUNITION; PARTS AND ACCESSORIES THEREOF
Ch. 93 Arms and ammunition; parts and accessories thereof
Section XX MISCELLANEOUS MANUFACTURED ARTICLES
Ch. 94 Furniture; bedding, mattresses, mattress supports,
cushions and similar stuffed furnishings; lamps and lighting
fittings, not elsewhere specified or included; illuminated
signs, illuminated name-plates and the like; prefabricated
buildings
Ch. 95 Toys, games and sports requisites; parts and accessories
thereof
Ch. 96 Miscellaneous manufactured articles
Section XXI WORKS OF ART, COLLECTORS' PIECES AND ANTIQUES
Ch. 97 Works of art, collectors' pieces and antiques
Ch. 98 Tariff quota goods

General Rules For The Interpretation Of The Customs Import Tariff

Classification of goods in the nomenclature shall be governed by the following principles:

1. The titles of Sections, Chapters and sub-Chapters are provided for ease of reference only; for legal purposes, classification shall be determined according to the terms of the headings and any relative Section or Chapter Notes and, provided such headings or notes do not otherwise require, according to the following provisions.

2.- (a) Any reference in a heading to an article shall be taken to include a reference to that article incomplete or unfinished, provided that, as presented, the incomplete or unfinished article has the essential character of the complete or finished article. It shall also be taken to include a reference to that article complete or finished (or falling to be classified as complete or finished by virtue of this Rule), presented unassembled or disassembled.

(b) Any reference in a heading to a material or substance shall be taken to include a reference to mixtures or combinations of that material or substance with other materials or substances. Any reference to goods of a given material or substance shall be taken to include a reference to goods consisting wholly or partly of such material or substance. The classification of goods consisting of more than one material or substance shall be according to the principles of Rule 3.

3. When by application of Rule 2 (b) or for any other reason, goods are, *prima facie*, classifiable under two or more headings, classification shall be effected as follows:

(a) The heading which provides the most specific description shall be preferred to headings providing a more general description. However, when two or more headings each refer to part only of the materials or substances contained in mixed or composite goods or to part only of the items in a set put up for retail sale, those headings are to be regarded as equally specific in relation to those goods, even if one of them gives a more complete or precise description of the goods.

(b) Mixtures, composite goods consisting of different materials or made up of different components, and goods put up in sets for retail sale, which cannot be classified by reference to 3 (a), shall be classified as if they consisted of the material or component which gives them their essential character, insofar as this criterion is applicable.

(c) When goods cannot be classified by reference to 3 (a) or 3 (b), they shall be classified under the heading which occurs last in numerical order among those which equally merit consideration.

4. Goods which cannot be classified in accordance with the above Rules shall be classified under the heading appropriate to the goods to which they are most akin.

5. In addition to the foregoing provisions, the following rules shall apply in respect of the goods referred to therein :

(a) Camera cases, musical instrument cases, gun cases, drawing instrument cases, necklace cases and similar containers, specially shaped or fitted to contain a specific article or set of articles, suitable for long-term use and presented with the articles for which they are intended, shall be classified with such articles when of a kind normally sold therewith. this rule does not, however, apply to containers which give the whole its essential character.

(b) Subject to the provisions of Rule 5 (a) above, packing materials and packing containers presented with the goods therein shall be classified with the goods if they are of a kind normally used for packing such goods. however, this provision is not binding when such packing materials or packing containers are clearly suitable for repetitive use.

6. For legal purposes, the classification of goods in the subheadings of a heading shall be determined according to the terms of those subheadings and any related Subheading Notes and, *mutatis mutandis*, to the above Rules, on the understanding that only subheadings at the same level are comparable. For the purposes of this rule the relative Section and Chapter Notes also apply, unless the context otherwise requires.

- 3 General Rules Of The Customs Import Tariff
1. The classification of articles in the heading of the nomenclature is governed by the notes of Sections& Chapters, the description of headings and Rules for the interpretation of the nomenclature. Besides, it may also make reference to "Harmonized Commodity Description and Coding System Explanatory Notes" compiled by the Customs Cooperation Council, and to other relative documents.
2. Customs duty shall be collected by Customs either on ad valorem basis or on a specific basis in accordance with the Customs Import Tariff.
- The rate of this Nomenclature is divided into three columns. The first column applies to goods imported from WTO members or from countries or areas that have reciprocal treatment with the Republic of China. The second column applies to the specified goods imported from the specified underdeveloped or developing countries or areas, or from those countries or areas which have signed Free Trade Agreement or Economic Cooperation Agreement with the Republic of China. When there is no suitable rate in the first and second columns for the imported goods, the rate in the third column shall apply.
- If imported goods are subject to both the rates in the first and second columns at the same time, then the lower one shall apply. Countries or areas subject to application of the rates in the first column shall be listed by the Ministry of Finance after consulting with other government agencies concerned and be reported to the Executive Yuan for approval. The Executive Yuan shall then notify the Legislative Yuan of its approval for information.
- Countries or areas subject to application of the rates in the second column, unless they have signed treaty, agreement or economic cooperation agreement with the Republic of China, shall be listed by the Ministry of Finance after consulting with other government agencies concerned and be reported to the Executive Yuan for approval. The Executive Yuan shall then notify the Legislative Yuan for screening.
3. For items subject to conditional duty reduction or exemption, the qualifying conditions are separately laid down in the Additional Notes in the Chapters concerned. If verification by the competent authorities is needed, it may be issued from a subordinate department which is authorized by the authorities, or from any other government agency not related to the authorities.
4. For the products that are subject to a tariff rate quota, the quantity and rate shall be allocated according to the related chapter additional notes or the rules prescribed in chapter 98 ; the others according to the rules prescribed in chapters 1 to 97.
- The countries or areas that are subject to a tariff rate quota will be listed by the Ministry of Finance after consulting with other government agencies concerned and be reported to the Executive Yuan for approval. The Executive Yuan shall then notify the Legislative Yuan of its approval for information.
5. Except for the products that are subject to a tariff rate quota, dutiable miscellaneous articles besides personal effects carried by incoming passengers and miscellaneous articles imported by postal parcels, are dutiable at the rate 5% ad valorem.

6. If the application of tariff classification and rate of this Nomenclature is not the same as the application of the condition and the rate prescribed by the treaty and the agreement as ratified and promulgated by our government, the lowest rate will be adopted.
7. The duty amount of the Nomenclature shall be calculated in the currency of New Taiwan Dollar.
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Attachments : Customs Import Tariff 2014.1.22.pdf

Data Source : Ministry of Finance, R.O.C. Laws and Regulations Retrieving System