

# GUIDE FOR INVESTORS ON IMPORTS AND EXPORTS



Investor Services Department  
Board of Investment of Sri Lanka  
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# INVESTOR SERVICES DEPARTMENT



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## INTRODUCTION

The Board of Investment of Sri Lanka, structured to function as the central facilitation point for investors, is also responsible for permitting Imports and Exports of projects under section 17 of the BOI law as well as providing other investor related services. These facilities are provided by the Investor Services Department of the BOI.

## SERVICES

- Processing and Approving Import / Export Documents
- Examination of Import / Export Cargo
- Issuing of Certificates of Origin for Apparel and Textile products
- Approval for Subcontracts, Transfers, Loans of raw material and machinery, Local sales of finished/ redundant goods
- Approving of Re-Import and Re-Export of Items
- Recommendations to the Controller General of Immigration & Emigration for issue of expatriate visas
- Processing and approving of GRNs for Indirect Exports
- Processing of Web Submission for IT / BPO Projects
- Other Investor related approvals



As an investor, undoubtedly you will be interested in finding out the procedure pertaining to investor related activities handled by this Department. To provide the above-mentioned services, the BOI has Investor Service Centers located at;

- The Colombo office - 6th Floor, West Tower, World Trade Center, Echelon Square, Colombo 01
- Export Processing Zone Katunayake (KEPZ)
- Export Processing Zone Biyagama (BEPZ)
- Export Processing Zone Koggala (KgEPZ)
- Kandy Industrial Park – Pallekale (KIP)

After signing the agreement with the BOI, to obtain the relevant services from one of the above centres, you should first register with the respective Investor Service Centre.

## REGISTRATION WITH THE INVESTOR SERVICES DEPARTMENT

- BOI - agreement (*Original+copy*)
- BOI - Investment approval letter (*Original+copy*)
- VAT / TIN Certificate (*original+copy*) - (including VAT 22/7+SVAT)
- List of items approved by the Investment Dept to be imported by the enterprise (*copy*)
- BOI Registration Certificate (*original+copy*)
- List of authorized signatories approved to sign import/export Customs docs (names, designations, NIC/Passport numbers and signatures of three personnel) - 02 originals certified by the Chairman / Managing Director of the enterprise
- A certified copy of Form 48, Form 1 sent to the Registrar of Companies (*original+copy*)
- A certified copy of Form 2A (Certificate of Incorporation) (*original+copy*)

(The relevant application form 45/FO/IS/31 could be downloaded from the BOI website for this purpose.)

After registration with the IS Department you are required to register with the ICT Unit of Sri Lanka Customs as per the FORM FOR THE REGISTRATION OF IMPORTERS & EXPORTERS IN TERMS OF SECTION 115 OF THE CUSTOMS ORDINANCE for the Asycuda World facility for processing Import/ Export Cusdecs. You are also required to register as a declarant with Sri Lanka Customs if you propose to effect your own Imports/Exports without utilizing the services of a clearing agent.

Once registered with the Investor Services Department, you are eligible to obtain services as per the agreement signed with the BOI.

In line with the ASYCUDA WORLD system, Enterprises have to register with the Import Export Monitoring System (IEMS) for payment of BOI service charges.

The BOI enterprise or the Clearing Agent (Declarant) is required to open a prepaid account with the Investor Service Department for the purposes given below.

- Submission of details of your enterprise and contact persons in to IEMS system of BOI.
- Submission of user account for declarant portal.



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# IMPORTS

## Procedure for Clearance of Import Cargo

As an Investor who has signed an agreement under section 17 of the BOI law, you are eligible to import project related items approved by the Investment Department without Customs Import Duty (CID). However, you are required to pay other taxes liable under the customs tariff.

## First Import Consignment

Permission to import the first consignment of capital goods and construction materials has to be granted by the Engineering Approvals & Special Projects Department/ Engineering Department of the relevant Zone / Regional Office, after approval of the site and building plans. Certificate Of Conformity (COC) of the building, has to be obtained from the same department prior to import of raw material. The relevant form 45/FO/IS/34 for obtaining approval for the first import consignment could be obtained at the time of registering with the Investor Services Department or downloaded from the website.

## Customs Declaration (CUSDEC)

Request for clearance of import cargo has to be made on the form identified as Cusdec (Customs Declaration/Customs form 53). This form is designed as Cusdec I, which is, used when only one item is declared and Cusdec II, if there is more than one item to be declared. As a new investor, it is recommended that you obtain the services of a clearing agent registered with the Association of Clearing and Forwarding Agents (ACFA) and who is familiar with BOI Import / Export procedures. As such you could avoid delays in clearing cargo & payment of demurrages.

## Documents Required for Clearance of Import Cargo

### Air freight

- 02 Copies of Cusdec (BOI & Delivery copies)
- Commercial Invoice
- Master Airway Bill
- House Airway Bill
- Freight Arrival Notice

### Sea freight

- 02 Copies of Cusdec (BOI & Delivery copies)
- Commercial Invoice / Packing List
- Bill of lading
- Delivery order

## Approval for Import of Goods, Wares & Merchandise on Duty Free Basis

You are requested to obtain approval for the above items to be imported from the following departments of the BOI.

Item	Department
Complete list of items to be imported	Relevant Sector of Investment Dept
Chemicals and other Environmental related items	Environment Management Dept
Construction material	Relevant Sector & Engineering Approvals & Special Projects Dept  Engineering Department of EPZZ

Note:

In addition, approval from relevant Line Ministries should be obtained if required.

## TAXES APPLICABLE FOR CLEARANCE OF ITEMS

### Value Added Tax

Value Added Tax should be paid either upfront or on deferred basis by BOI Registered companies on their Imports, if not exempted under the Customs Tariff.

### Deferment of VAT

- Deferred facility is granted only to holders of permanent VAT registration certificates
- Facility under section 22(vii) of the VAT act is given by the Inland Revenue Department, during the project implementation period of the enterprise
- Forms for registration of VAT deferred facility could be obtained from the VAT unit or downloaded from the website

### Port and Airport Development Levy (PAL)

Raw material imported for processing and export is exempted from the payment of PAL. Payment is applicable for all other imports including capital goods.

PAL is deferred (on a Bank Guarantee) or exempted as applicable during implementation period for projects qualified for tax concessions under section 16D or 17A of Inland Revenue Act.

### Nations Building Tax (NBT)

Raw material imported for processing and export is exempted from the payment of NBT. Payment is applicable for all other imports including capital goods.

### Excise Duty (XID)

Payable on capital goods if applicable under the customs tariff.

### EDB Import Cess (EIC)

Payable for items other than items used for processing / manufacturing for re-export as per the customs tariff.

## Submission of Import Documents

Import documents should be submitted electronically through ASYWORLD using the DTI (Direct Trader Input) facility. An Enterprise can enjoy the following benefits by using Asyworld.

- Import details could be transmitted to the service center 24 hrs and 07 days of the week
- Saving on cost and time in documentation
- Accuracy in recovery of taxes

## Re-Imports

BOI also permits enterprises to re-import cargo exported/re-exported for the following reasons

- Machinery and Equipment re-exported for repairs and modifications
- Finished goods exported overseas could be permitted to be re-imported, if returned, and cleared within a period of 02 year
- Items exported for outward processing (Embroidery, Printing, etc)

You should make a request to the relevant service centre, seeking permission for the re-import. The relevant form 45/FO/IS/32 could be downloaded from the BOI website.



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EXPORTS

## Procedure for Effecting Exports

BOI Enterprises are permitted to export their finished products on Duty Free basis, as approved by the agreement entered into with the BOI.

If an enterprise intends to export items which are not declared in the agreement, the approval has to be obtained from the Investment Department of BOI.

## First Export Consignment

Enterprises should obtain the Certificate of Conformity (COC) from the Engineering Approvals Department/Regional Office or the respective Zone office before effecting the first export. The relevant application form 45/FO/IS/35 could be downloaded from the Website.

In the event of your failure to obtain the COC in time, temporary approval for export to be obtained from the said department for the particular export shipment, when necessary.

## Documentation for Exports

Request for exports should be made under Cusdec declaration I & II and submitted to the relevant BOI Service Centre for approval. For both Air Freight and Sea Freight, the following documents should be submitted.

- 02 copies of CUSDECs (Security copy & BOI copy)
- 02 copies of Commercial Invoices

The new version of ASYWORLD is available to facilitate exporters efficiently. Keying the Cusdec through BOI officials could be obtained on request of the BOI enterprises. Subject to payment of BOI service charge.

Online paperless documentation through Asyworld system is also available for exports on request. Benefits of using the paperless documentation system

- Reducing document processing time.
- Reducing of lead time due to faster processing of cusdec.

For more details, please contact Senior Deputy Director (Exports)

When Certificate of Origin for export of apparel is issued by the BOI, an additional copy of the CUSDEC is required. Also a copy of BL to be submitted in relation to sea freight exports.

## Export of Textile and Apparel Products

- Certificate of Origin for exports to European Union (EU) countries will be issued by the relevant BOI service centre.
- Quota allocation for exports to India could be obtained from the Department of Commerce prior to processing export documents.
- Certificate of Origin for export to India will be issued by the Department of Commerce.
- For all other countries Certificates of Origin should be obtained from the Chamber of Commerce

## Exports other than Textiles & Apparel

- Obtain approval from relevant government authorities, if required

## EXPORTS - TAXES APPLICABLE

### Export Cess

Export Cess should be paid for applicable items at the rates specific to the relevant HS code, specified under the customs tariff

### Temporary Export / Re-Exports

BOI also permits temporary export of the following items

- Temporary export of Machinery and Equipment for repairs and return
- Temporary export of items, for processing and return (Embroidery, Printing, ....etc)
- Re-export of excessive, rejected or defective raw materials
- Re-export of raw material & accessories when an order is transferred to another country

You should make a request to the relevant service centre for approval on submission of the re-export/temporary export application. The respective form is 45/FO/IS/05 and could be downloaded from the BOI website.

### Submission of Export Documents

Export documents should be submitted electronically through ASYWORLD using the DTI (Direct Trader Input) facility.



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VERIFICATION

## Verification of Cargo

In addition to the Central Verification Terminal (Orugodawatta) and Air Cargo Terminal (Katunayake), BOI has several other centres for verification of import / export cargo including the following Free Trade Zones.

- Katunayake Export Processing Zone
- Biyagama Export Processing Zone
- Koggala Export Processing Zone
- Kandy Industrial Park
- Mirigama Export Processing Zone
- Wathupitiwela Export Processing Zone
- Malwatta Export Processing Zone
- Seethawake Export Processing Zone
- Horana Export Processing Zone
- MAS Fabric Park

All enterprises located in the above Export Processing Zones can get their cargo verified at the respective zone in which the company is located. The company should register import or export documents after payment of verification charges at the said verification unit and a verification officer will be assigned for verification of cargo at the factory. Enterprises located close to KEPZ, BEPZ, Koggala EPZ, Kandy Industrial Park and MAS Fabric Park can also avail themselves of this facility. Only a random verification will be effected and in the event a shortage or excess of imported cargo is detected after cargo is taken to factory premises, the Enterprise should inform the respective service centre within 01 week of clearance of cargo.

## Verification of Import and Export Cargo at Terminals

The BOI has two verification terminals to cater to the requirements of enterprises located outside the Export Processing Zones, namely CVT - Orugodawatta and ACT - Katunayake

### Central Verification Terminal (CVT) – Orugodawatta

Central Verification Terminal at Orugodawatta has been established to verify Sea Freight. Import / Export cargo for enterprises obtaining services from the Colombo Service Centre and cargo of enterprises located outside EPZZs. This unit provides 24 x 7 x 365 service and also offers a specialized service to its customers. Enterprises are requested to pay the relevant verification charges and register details of cargo at the unit for verification. In addition to the verification facility, BOI enterprises can process export documents till 8.30 pm from Monday to Saturday.

### Air Cargo Terminal (ACT) – Katunayake

Air Cargo Terminal located at Katunayake has been established to verify Air Freight Import / Export cargo for all BOI enterprises. This office is also opened round-the-clock to facilitate 24 x 7 import & export documentation and cargo verification facilities to BOI projects. Enterprises are requested to pay the relevant verification charges and register details of cargo at the unit for verification.

Enterprises should produce cargo for verification either to the CVT, ACT or the respective EPZZ no sooner it is cleared from the port or airport. Enterprises should also ensure that cargo declared on the import and export cusdecs have been physically imported and exported. Discrepancies of any nature should be identified and the respective service centres should be kept informed within 01 week of clearance or loading.



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# OTHER SERVICES

Provision of other services  
by the Investor Services Department



### 1. Transfer / Purchase of imported raw Material & Accessories - Form 45/FO/IS/09

BOI Enterprises are permitted to transfer raw material and accessories between BOI and non-BOI enterprises coming under the purview of Sri Lanka Customs to be used for production of items for export.

For this purpose, you should obtain approval from the respective Investor Service Center.

The respective application form 45/FO/IS/09 should be downloaded from the website.

You are also requested to submit a CUSDEC prior to effecting the transfer.

### 2. Sub-contracts for Urgent Production Orders - Form 45/FO/IS/06

Sub-contracting to meet urgent production orders would be permitted if requested. The relevant application form 45/FO/IS/06 should be used to obtain approval for subcontracts of enterprises located in Export Processing Zones. The two enterprises (the awarder and the subcontractor) should be solely responsible for the raw material taken for subcontracting & also for the finished items which should be returned to the awarder after finalizing the subcontract.

GRNs in respect of the subcontract should be submitted by the BOI enterprises effecting the subcontract as proof of performance of the enterprise.

The respective application form 45/FO/IS/06 should be downloaded from the website. FACILITY FOR ONLINE SUBMISSION OF SUB CONTRACT APPLICATION ALSO AVAILABLE AND DETAIL COULD BE OBTAINED FROM THE BOI WEBSITE.

### 3. Sale of Finished Products in Local Market- Form 45/FO/IS/30

Sale of finished products in the local market is permitted as per the conditions laid out in the agreement. The approval should be obtained from the relevant Investor Services Department. Sale is subject to payment of customs duty and other levies determined by Sri Lanka Customs.

The respective application form 45/FO/IS/30 should be downloaded from the website.

### 4. Obtain / Supply Machinery / Raw Material on loan basis - Form 45/FO/IS/13

Transfer of Machinery on loan or rental basis.

BOI Enterprises could obtain or transfer Machinery and Equipment to/from another BOI enterprise on loan basis. They could also obtain machinery and equipment from a non-BOI enterprise on rental basis.

The respective application form 45/FO/IS/13 should be downloaded from the website.

### 5. Removal of Machinery Equipment from the zone for Repairs/Modification & Return- Form 45/FO/IS/43

Temporary removal of machinery, spare parts and other equipment imported on duty free basis for repairs and modification from a zone is also permitted to BOI enterprises on obtaining the approval from the relevant service center. If the number of machines are more than 5, the company has to submit a corporate guarantee to the relevant Investor Services Center.

The respective application form 45/FO/IS/43 should be downloaded from the website.

### 6. Purchase / Sale of Machinery and Equipment which are imported on Duty Free basis or manufactured locally - Form 45/FO/IS/44

BOI enterprises are permitted to purchase / sale of machinery equipment imported on duty free basis. If such items are no longer required for production process on case by case basis.

The approval should be obtained from the relevant Investor Services Department and the application could be downloaded from our website.

### 7. Indirect Exports

BOI enterprises who are involving in indirect exports are permitted to sell their manufactured items / provide service to another BOI approved direct exporter or non BOI exporter coming under the TIEP scheme of Sri Lanka Customs who are entitled to purchase their raw materials / services on duty free basis.

Goods Receiving Notes (GRN) should be submitted as proof of the performance of the enterprise.

Documentation procedure could be obtained from the relevant Investor Services Department.

### 8. Web submission

The web based system has already been introduced to the BOI approved enterprises classified under BOI product category of "services", those who are not providing cusdecs for the exports / services provided. All the enterprises comes under "service" category should be registered with Investor Services department to obtain password for sending the details since those statistics are vital to BOI to ensure the compliances of agreement entered into with BOI and also performances of the enterprise.



# COMMERCIAL HUB REGULATIONS

## FINANCE ACT NO. 12 OF 2012 PART (IV) AS AMENDED

In terms of Part (iv) of Finance Act No. 12 of 2012 as amended and Commercial Hub Regulation No. 1 of 2013 a new Enterprise which is established or incorporated in Sri Lanka and engaged in any one or more business activities referred below under (a) (b) (c) (d) and (e) subject to:-

- A minimum 65% of total investment has to be from foreign sources which includes transfers from Foreign Banking Units in Sri Lanka.
- Total turnover shall be achieved from export of goods and services rendered to foreign clients for which payments is received in foreign currency. However, in the case of Logistic Services, Warehousing Services can be provided to domestic exporters for payment in foreign currency and entered into an agreement with the Board of Investment of Sri Lanka.
- The Enterprise shall be approved by the Board of Investment of Sri Lanka under the provisions of the Commercial Hub Regulation.
- The Enterprise shall bring the required minimum investment as stipulated in the Commercial Hub Regulation within the given period.

A new Enterprise engaged in any business activities referred to above may also be considered in terms of the Strategic Development Projects Act with the minimum investment requirement of US\$ 10Mn.

- “Free Port” means the area declared in terms of Sri Lanka Ports Authority Act No. 51 of 1979 and declared in terms of the Air Navigation Regulation of 1955.
- “Bonded Area” means the area declared in terms of the Board of Investment of Sri Lanka Law No. 4 of 1978 and declared in terms of Section 111 of the Customs Ordinance (Chapter 235)

# COMMERCIAL HUB ACTIVITIES

## Entrepot Trade



Involving an import, minor processing and re-export, Manufacturing or assembling with minimum 10% DVA.

Minimum Investment  
US\$ 5 Mn.

## Logistic Services

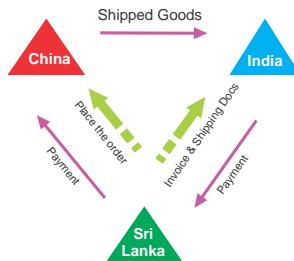


- Warehousing, Inventory Management, Logistic Value Addition
  - Freight forwarding for clients abroad
  - Transshipment Activities
  - Regional Trade Bonds
- Minimum Investment  
US\$ 3 Mn.

## Off Shore Business

Where goods can be procured from one country or manufactured in one country and shipped to another country without bringing

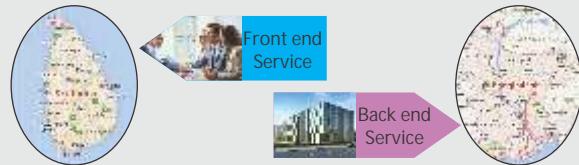
Minimum Investment  
US\$ 1 Mn.



## Front End Services

- Marketing, Sales & Business Development
- Product Design & Development, SCM
- Sampling, Testing
- Quality Checking

Minimum Investment  
US\$ 1 Mn.



## Head Quarters Operations



- International Billing
- Quality Control
- Financial Services
- Administration
- Supply Chain Management

Minimum Investment  
US\$ 1 Mn.





Investor Services Department  
Board of Investment of Sri Lanka

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[www.investsrilanka.com](http://www.investsrilanka.com)

## LIST OF IMPORTANT WEB SITES FOR INVESTORS

Board of Investment of Sri Lanka	<a href="http://www.investsri.lanka.com">www.investsri.lanka.com</a>
Sri Lanka Customs	<a href="http://www.customs.gov.lk">www.customs.gov.lk</a>
Sri Lanka Standards Institution	<a href="http://www.slsi.lk">www.slsi.lk</a>
Animal Quarantine and Inspection Services	<a href="http://www.danuma.lk">www.danuma.lk</a>
National Plant Quarantine Centre	<a href="http://www.agridept.gov.lk">www.agridept.gov.lk</a>
Forest Department Sri Lanka	<a href="http://www.forestdept.gov.lk">www.forestdept.gov.lk</a>
Department of Wildlife Conservation	<a href="http://www.wildlife.lk">www.wildlife.lk</a>
Department of Immigration & Emigration	<a href="http://www.immigration.gov.lk">www.immigration.gov.lk</a>
Exchange Control Department	<a href="http://www.cbsl.lk">www.cbsl.lk</a>
Inland Revenue Department	<a href="http://www.ird.gov.lk">www.ird.gov.lk</a>
Central Environmental Authority	<a href="http://www.cea.lk">www.cea.lk</a>
Sri Lanka Tea Board	<a href="http://www.tea.lk">www.tea.lk</a>
The Coconut Development Authority(CDA)	<a href="http://www.cda.lk">www.cda.lk</a>
Rubber Development Department	<a href="http://www.rubberdev.gov.lk">www.rubberdev.gov.lk</a>
Ministry of Defence & Urban Development	<a href="http://www.defence.lk">www.defence.lk</a>
National Gem and Jewellery Authority	<a href="http://www.srilankagemautho.com">www.srilankagemautho.com</a>
Sri Lanka Telecom	<a href="http://www.slt.lk">www.slt.lk</a>
Sri Lanka Export Development Board	<a href="http://www.srilanka.business.com">www.srilanka.business.com</a>
Department of Commerce Sri Lanka	<a href="http://www.doc.gov.lk">www.doc.gov.lk</a>
Sri Lanka Ports Authority	<a href="http://www.slpa.lk">www.slpa.lk</a>
Airport and Aviation Services (Sri Lanka)	<a href="http://www.airport.lk">www.airport.lk</a>
Sri Lanka Tourism Development Authority	<a href="http://www.sltda.lk">www.sltda.lk</a>
The Department of Agriculture	<a href="http://www.argidept.gov.lk">www.argidept.gov.lk</a>
National Chamber of Exporters of Sri Lanka	<a href="http://www.nce.lk">www.nce.lk</a>
The National Chamber of Commerce of Sri Lanka	<a href="http://www.chamber-commerce">www.chamber-commerce</a>
Ceylon Chamber of Commerce's (Sri Lanka)	<a href="http://www.chamber.lk">www.chamber.lk</a>
Sri Lanka Shippers Council	<a href="http://www.shipperscouncil.lk">www.shipperscouncil.lk</a>
Sri Lanka Government officers & Departments	<a href="http://www.allsrilanka.com">www.allsrilanka.com</a>
Colombo International Container Terminals Ltd	<a href="http://www.cict.lk">www.cict.lk</a>
Ministry of Ports & Highways	<a href="http://www.mohsl.gov.lk">www.mohsl.gov.lk</a>



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