

MINISTRY PAPER NO. ____
REVISED MOTOR VEHICLE IMPORT POLICY
EFFECTIVE July 1, 2004

1.0 OBJECTIVE

This Ministry Paper has two objectives. Firstly, it introduces new policy measures governing the import of motor vehicles. Secondly, it provides a single and comprehensive reference document on Jamaica's Motor Vehicle Import Policy.

2.0 INTRODUCTION

The regime governing the importation of motor vehicles into Jamaica seeks to balance several important factors. These include; road safety, consumer protection, fair competition, consumer choice, revenue collection, the safeguarding of intellectual property rights and environmental protection among others.

Since February 1989 various policy measures have been introduced to liberalise the importation of motor vehicles into Jamaica. The regime is closely monitored and there have been several revisions of the Policy since 1989.

This Ministry Paper follows consultations with the key stakeholders in the Industry and includes several amendments to the existing Vehicle Import Policy. For ease of reference, new provisions as well as amendments have been summarised in Attachment 1 to this Paper.

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4.0 DEFINITIONS

4.1 Assembly

The authorised assembling of component parts. Vehicles that are being put together under license for the first time. This does not include reassembly.

4.2 Authorised Motor Vehicle Dealer

Automobile dealer registered and approved by the responsible Ministry.

4.3 Clip

Motor vehicle body parts and accessories from Chapter 87.08 of the Customs Tariff consisting of any section of vehicle:

- a) Forward of the front windscreen including the chassis frame, not including the firewall
- OR
- b) To the rear of the rear windscreen.

Note: A half a car is not a clip.

4.4 Kits

All parts needed to assemble a complete vehicle. The parts must be new and the kit will be classified as a complete vehicle. Disassembled used vehicles do not qualify.

4.5 Motor Vehicle Manufacture

Fabricate or cause to exist an original motor vehicle with original make and model.

4.6 Market Value

For Customs purposes, the market value for a new car is that stated on the invoice. For a used car, it is the invoice value or the value accepted by the Customs Department.

4.7 Motor Vehicle

A "motor vehicle" as defined by the Road Traffic Act means any mechanically propelled vehicle intended or adapted for use on roads.

4.8 Repair

Restore something damaged, worn, or faulty to a good condition.

4.9 Vehicle Identification Number (VIN)

The VIN or chassis number is the identifying code for a specific automobile. Each number is unique. Usually consisting of characters that identify the manufacturer, make, model and year of a vehicle.

4.10 Vehicle Weight

Unladen vehicle weight. The weight of a vehicle as built at the factory with full fuel, engine, oil and coolants. It does not include cargo, occupants or dealer installed accessories.

4.11 Year of Vehicle

The model year for which the vehicle was manufactured as determined by the manufacturer, not specifically the calendar year.

5.0 REQUIREMENTS FOR DOCUMENT IN ENGLISH

All documents required to obtain an import license and to gain Customs clearance must be in English.

6.0 IMPORT DOCUMENTATION

Imports of used vehicles must be accompanied by a copy of the deregistration certificate or original title. At the time of the sale of the vehicle, the deregistration certificate of title must be presented by the vendor to the purchaser. These documents must be presented to the Inland Revenue Department when the vehicle is being registered.

Consumers may request that dealers importing from Japan obtain an Export Inspection Certificate issued by the Japan Appraisal Institute.

If a vehicle after being sold is found not to be what it is purported to be, the importer shall be liable to a penalty applied by the appropriate authority having jurisdiction over the violation. Consumers are encouraged to contact the Fair Trading Commission and/or the Consumer Affairs Commission for advice on the remedies available for redress. In all instances the dealer is responsible to ensure that there is no misrepresentation to the consumer.

Consumers may also exercise the option of obtaining redress from the importer through civil action in the court for knowing or unknowingly selling a motor vehicle that is proved to be other than that represented to the consumer.

While motorcycles with engines of 700 cc or less do not require an import license, all used motorcycles require a certified copy of the deregistration certificate or title and last road use permit issued by the competent authority in the originating jurisdiction at the time of importation.

7.0 AGE OF VEHICLE AT IMPORTATION (CARS & LIGHT COMMERCIAL)

Importers may import and license for the first time, vehicles up to three (3) years for cars and four (4) years for light commercial vehicles at the time of importation.

A vehicle, although being new in terms of kilometers, but not manufactured in the current model year will be considered as used.

Vehicles in the current model year are considered used if the odometer is registering over 4827 km (3000 miles), it was pre-owned by a third party and is over six (6) months old.

8.0 APPROVED METHODS FOR DETERMINING MODEL YEAR

8.1 The ISO Standard

Where a manufacturer conforms to the international standard (ISO 3779-1983) the accepted method for determining the model year of a motor vehicle is based on the character (alphabetic or numerical) in the VIN that designates the year. This character indicating the year maybe located at the 8th characters in the 14-character VIN or the 10th character in the 17-character VIN. See chart below:

Table 1: Characters used for Designation of the Model Year

Year	Code	Year	Code	Year	Code	Year	Code
1971	1	1981	B	1991	M	2001	1
1972	2	1982	C	1992	N	2002	2
1973	3	1983	D	1993	P	2003	3
1974	4	1984	E	1994	R	2004	4
1975	5	1985	F	1995	S	2005	5
1976	6	1986	G	1996	T	2006	6
1977	7	1987	H	1997	V	2007	7
1978	8	1988	J	1998	W	2008	8
1979	9	1989	K	1999	X	2009	9
1980	A	1990	L	2000	Y	2010	A

8.2 The JIS Standard

For vehicles manufactured in Japan for the export market, the model year will be determined by the Japanese International Standard (JIS D-4901-1982).

8.3 Age Verification Manual

Where a vehicle is manufactured specifically for the Japanese domestic market and not intended for export, the manufacturer does not conform to the international export standard, therefore the model year of the vehicle will be based on the vehicles serial number and determined by the Japanese Automobile Age Verification Manual.

8.4 Competent Authority

The Island Traffic Authority (ITA) is the competent authority for determining and adjudicating on matters relating to the model year of motor vehicles imported into Jamaica.

Where the ISO, JIS and Age Verification Manual are not applicable, the Island Traffic Authority may use any information available to them to determine a motor vehicle's year. This may include the make, model or other features as the ITA may consider relevant.

A Certificate of First Registration will not be accepted as proof of the "model year" of a vehicle.

9.0 WARRANTY ON VEHICLES

9.1 Warranty on Used Vehicles

The warranty on used motor vehicle is ninety (90) days. The warranty should cover the under mentioned parts:

- Engine
- Transmission
- Differential
- Steering Gear
- Drive Chain
- Front End
- Major electronic components (computers)

In instances where the defect on a motor vehicle is manifested during the stipulated warranty period and the defect is not satisfactorily resolved during the period, it shall be the responsibility of the dealer to resolve the problem to the satisfaction of the purchaser ,even after the expiry of the warranty.

Dealers must either repair or replace the defective part(s) or vehicles free of charge to the purchaser.

9.2 Warranty on New Vehicles

Warranties provided on new motor vehicles sold by a dealer in Jamaica, must not be materially less (labour, parts, time owned or distance driven) than that offered by the manufacturer.

Consumers are advised that the purchase of a new car from a used car dealer will be eligible for a ninety day warranty.

Used car dealers are required to explicitly state the terms of the warranty for a new car in pro-forma documentation as well as the contract for sale.

10.0 MANDATORY REQUIREMENT FOR OPERATING AND MAINTENANCE MANUALS IN ENGLISH

Automobile dealers must provide manuals in English to all purchasers of motor vehicles. The manuals must be supplied at the time of purchase at no additional cost to the purchaser.

11.0 STOCKING AND AVAILABILITY OF SPARE PARTS

Used car dealers are required to hold a spare parts inventory representing ten percent (10%) of their current vehicle stock with the majority being mechanical parts.

12.0 NEW AND USED CAR DEALERS REQUIREMENTS

Specific criteria have been developed for the certification of new and used car dealers. Once these criteria are satisfied and certification is approved by the appropriate Ministry, the New and Used Car Dealers will be able to import on their own account, and have the related revenue collected by the Government. These specifications require Dealers to:

- Be registered under the Companies Act.
- Have a permanent address and location of operations approved and inspected by the responsible Ministry.
- Be registered with the, National Insurance Scheme (NIS), National Housing Trust (NHT) and the Tax Audit and Assessment Dept.
- Have a valid Taxpayer Registration Number (TRN)
- Stock spare parts of ten percent (10%) of inventory and offer related services.
- Offer an expressed warranty on each unit sold, and comply with obligations under the Fair Competition Act (FCA).
- Provide adequate repair and servicing facilities.
- Undergo an annual inspection and payment of a fee as determined by the responsible Ministry.

13.0 IMPORTATION OF USED VEHICLES BY NEW CAR DEALERS

New Car Dealers will be permitted to import used motor cars zero to three (0-3) years old and light commercial vehicles zero to four (0-4) years old of any make or model, for the retail trade.

14.0 IMPORTATION OF NEW VEHICLES BY USED CAR DEALERS

Used car dealers will be allowed to import new vehicles of any make or model for the retail trade.

15.0 IMPORTATION BY INDIVIDUALS AND RETURNING RESIDENTS

An individual or returning resident is allowed to import one motorcar and one light

commercial vehicle every three (3) years. A one-year restrictive clause will be applied to permits approved for importation by individuals and returning residents.

Approval of licenses for motor vehicles imported by a returning resident that is older than three (3) years will be at the discretion of the Trade Board. The vehicle must be owned by the importer for at least six (6) months prior to the application to import being made.

A certified copy of the certificate of title or de-registration certificate must be submitted to the Trade Board at the time of application. The original of these documents must be presented to the Customs Department when the vehicle is being cleared from Customs.

Documentary proof of the importer's status as a returning resident must be presented to the Trade Board at the time that the application to import is filed.

The option of importing a motor vehicle, as a returning resident must be exercised within six (6) months of relocation to Jamaica.

16.0 IMPORT OF HALF CARS AND FRONT OR REAR CLIPS FOR REPAIRS

The Trade Board may grant Import licenses to individuals and commercial auto parts dealers for the importation of half cars, parts and accessories for motor vehicles parts commonly referred to, as "Clips". Licenses for the importation of half cars and clips may be approved for the purposes of **repairs only** to a motor vehicle that is, or was previously registered, to be operated in Jamaica.

Individuals purchasing half cars or clips for repairs, where the chassis number is being changed, are required to produce the following to the Island Traffic Authority (ITA) prior to the issuance of a new certificate of fitness:

- Photographs of the wrecked vehicle on which the half car or clip is to be used
- A police report indicating the details of the accident
- Insurance documents and reports,
- Proof of prior ownership, its previous road registration and certificate of fitness,
- The Customs C-78 entry regarding the importation of the clip showing chassis number and description.

A Certificate of Fitness will not be issued where a "new" vehicle has been created from clips or half cars. For the purpose of this section, a "new" vehicle is one that has never been registered on the island and does not exist in the National Motor Vehicle Registry.

The Inland Revenue Department (IRD) will no longer license for the first time cars older than three (3) year, light commercial vehicles older than four (4) years or vehicles not accompanied by the relevant Customs documentation.

Where a vehicle does not exist or is not properly accounted for in the Customs Database, those vehicles will not be licensed and may be referred to the Financial

Investigations Division of the Ministry of Finance for further investigation.

17.0 CLASSIC/ANTIQUE/LIMITED EDITION CARS

Individuals will be allowed to import classic antique limited edition cars through the specific import licensing policy administered by the Trade Board Limited. The Jamaica Classic Car Club must support each application. The Ministry and the Trade Board must be satisfied through documentary proof that the unit falls within the definitions and categories as follows:

- Design elements that separate it from the common car
- Engineering elements that separate it from the common car
- Either in limited production or is no longer in production
- Particular features and characteristics that attract investors worldwide
- The car can be of any age
- The car is not necessarily driven
- The car can be a store of value.
- Manufactured in low numbers.
- The car might have been very expensive.
- Significant engineering advantages for its time.
- A famous designer may have designed the car.
- The car may be a common vehicle with historical celebrity ownership.
- The car may have won a particularly famous race.
- The car may have been involved in a historical event.

Where applicable, the submission for approval should be supported by proof of the unit's affiliation with, or registration in, overseas classic car club(s) or related organisation(s). All applications must be supported with technical and historical information on the unit through registration, certificates, road licenses, logbooks etc.

18.0 PROCEDURES FOR OBTAINING IMPORT PERMIT

Motorcars, pick-ups, small trucks, vans, buses and motor cycles over 700 cc require specific import permits (order and clearance permit) before shipment to Jamaica. Motor vehicle parts (front and back clip) of tariff heading # 87.08.99.9 also require an import permit. The import permits can be obtained from the Trade Board Limited.

On no account should the shipment of any licensable item be made prior to the procurement of a valid Import License.

18.1 Individuals and Returning Residents

The importer completes in triplicate, an Order and Clearance Permit Application and submits this to the Trade Board for approval prior to the vehicle being shipped, supported by the following documents:

- Proforma invoice in applicant's name (if the vehicle is not already owned by the

- importer) detailing model, year, or registration/title of ownership (if the vehicle is already owned by the importer)
- The importer's TRN in addition to two (2) forms of identification from the following:
 - Passport
 - Drivers License
 - National Identification Card/Voter's Identification
 - Where applicable, copy of a work permit and/or other documentary proof of landed immigration or returning resident Status in Jamaica.

18.2 Companies

In order to obtain an Order and Clearance Permit, each company must be in possession of an Importer's Number that is obtained from the Trade Board Limited.

Applications for an Importer's Number must be submitted with:

- Certification of Incorporation
- Letter stating nature of business
- Copy of NIS and Income Tax Numbers
- Copy of TRN

18.3 Applications for Order and Clearance Permit must be submitted with:

- Proforma Invoice for the vehicles to be imported
- Proof of legal status (e.g. certificate of incorporation)

18.4 Duty Concession

Any individual/company/organisation enjoying a duty concession must produce documentary proof of such concession to the Trade Board Limited at the time of application.

New and Used car Dealers are required to provide purchasers who have a duty concession with a copy of the C78 customs entry form and provide all purchasers with a sales invoice indicating base price and GCT.

18.5 Importation of Trucks/Tractor Heads

Trucks three (3) tons (unladen weight) and over and Tractor Heads do not require specific import permits.

18.6 Oversized Units (Heavy Trucks/Trailers)

Applications for oversized vehicles must be made to the relevant Minister through the Island Traffic Authority in accordance with Section 192 of the Road Traffic Regulations, and approval given in writing prior to the importation of these units.

18.7 Importation of Buses

In an effort to maintain safety standards and to keep buses that are under fifteen (15) seats from entering the public passenger transport sector, the importation of these units are closely monitored. Thus, approval for the importation of all buses must first be obtained from the Motor Vehicle Import Policy Unit of the responsible Ministry before the application can be approved by the Trade Board Limited.

18.8 Vehicles Not Requiring a Permit

Vehicles for which no import permit is required include: Fire Engines, Garbage Trucks, and Bucket Trucks and may include other vehicles as determined by the Minister from time to time.

The import of ambulances requires special approval from the Ministry of Health.

19.0 DISPOSAL OF VEHICLES PRIOR TO CUSTOMS CLEARANCE

Where it appears that a motor vehicle has been transferred, traded or otherwise dealt with, prior to being cleared from customs, the Trade Board shall refuse to amend the import permit in favour of any other party.

20.0 IMPORTATION OF DAMAGED VEHICLES

A motor vehicle dealer is not permitted to import vehicles that have been salvaged or in a damaged condition.

21.0 EFFECTIVE DATE

Amendments to the motor vehicle policy become effective July 1, 2004

*******WARNING*******

Anyone who imports a motor vehicle or a part thereof which requires an import license without first obtaining a valid import permit will be liable to a fine equivalent to three (3) times the value of the goods plus seizure of these goods in accordance with Section 210 of the Customs Act.

Certified dealers are reminded that requirements of this Policy applies to the importer on record. The use of a sub dealer or broker does not exempt the certified dealer from their responsibilities.

**PHILLIP PAULWELL
MINISTER OF COMMERCE, SCIENCE AND TECHNOLOGY
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ATTACHMENT 1

SUMMARY OF NEW PROVISIONS AND AMENDMENTS CONTAINED IN MINISTRY PAPER No. _____ ON THE REVISED MOTOR VEHICLE IMPORT POLICY

- a. Required included for : Assembly: Authorised Motor Vehicle Dealer: Clip; Kits; Motor Vehicle Manufacture; Market Value; Motor Vehicle: Repair; Vehicle Identification Number; Vehicle Weight and Year of Vehicle. (Pg 2, 3).
- b. Requirement for documents to obtain a license to in English. (Pg 3)
- c. Requirement for a deregistration certificate or certificate of title. (Pg 3)
- d. Introduction of approved methods to determine the model year (Pg 4)
- e. Identification of competent authority to determine model year. (Pg 5)
- f. Inclusion of major electronic components in warranty. (Pg 5)
- g. Requirement for operating and maintenance manuals in English (Pg 6)
- h. Obligation to provide duty concession importers with a copy of the import entry form. (Pg 6).
- i. Restriction on transfer on the licensing of vehicles for the first time without proper documentation. (Pg 7)
- j. Restriction on transfer of vehicles prior to customs clearance. (Pg 10)
- k. Restriction on the importation of damaged vehicles by dealers. (Pg10)
- l. Clarification that a certified dealer who is the importer on record at Customs will be held responsible for breaches of the Policy. (Pg 10).