

Executive Summary

Decree No. 609-24 Regulation on Customs Operators

Decree No. 609-24 establishes the implementing regulation of Title III of Customs Law No. 168-21, with the purpose of regulating people involved in customs activities and setting forth the legal framework applicable to operators interacting with the General Directorate of Customs (DGA).

It develops the conditions, formalities, procedures, and obligations for the registration, authorization, operation, supervision, and control of customs operators, as well as the mechanisms for granting and maintenance of their licenses.

I. Purpose

The regulation aims to supplement the Customs Law by governing the activities carried out by customs operators within the scope of the customs functions, including the requirements for their authorization, operating conditions, and obligations before the Customs Administration.

Its scope of application extends to all individuals and legal entities engaged in customs-related activities, including logistics operators, importers, exporters, and other stakeholders in international trade that interact with the DGA.

II. Role of the General Directorate of Customs (DGA)¹

The regulation recognizes the DGA as the competent administrative authority for the application and interpretation of its provisions, acting as the governing body of the customs system and the direct supervisor of authorized operators. In this regard, the DGA is empowered to:

- Issue supplementary regulations;
- Conduct inspections and compliance verifications;
- Evaluate license or registration applications; and
- Adopt administrative measures necessary to ensure customs control.

¹ Art. 3;

III. Registration, Authorization, and Licensing of Operators

The regulation establishes detailed procedures for the registration and authorization of customs operators, including the submission of formal applications, documentary verification, inspections, and technical validation by the DGA.

During the evaluation process, the customs authority may consider factors such as:

- The applicant's compliance history in customs and tax matters²;
- Risk background associated with partners or shareholders³;
- The operator's financial solvency⁴; and
- Compliance with technical and operational requirements⁵.

Additionally, it provides that if requirements are not remedied within a specified period, the application may be declared lapsed, requiring the process to be initiated anew.

IV. Operators Requiring a License and Those Requiring Only Registration

The regulation differentiates levels of control and supervision depending on the nature of the activity carried out within the customs system, distinguishing between:

- Operators that require a general license⁶ from the DGA to operate within the customs system;
- People linked to customs activities who only require registration or enrollment, such as importers, exporters⁷, consignees⁸ and authorized representatives⁹; and

² Paragraph I. 1), Art. 19;

³ Paragraph I. 2), Art. 19;

⁴ Paragraph I. 3), Art. 19;

⁵ Paragraph I. 4), Art. 19;

⁶ Articles 16–33 on the Requirements, Formalities, and Common Provisions applicable to all Customs Operators that require the granting of a license;

⁷ Articles 4-8 on Importers, Exporters, and Consignees;

⁸ Articles 9–12 on Non-Resident Consignees, Registration of Foreign Companies as Non-Resident Consignees, and the Requirements for Registering a Non-Resident Consignee;

⁹ Articles 13–15 on authorized representatives;

- Operators that require a specific license from the DGA, including customs brokers¹⁰, auxiliary customs agents¹¹, international cargo consolidators and deconsolidators¹², warehouse operators¹³, and express courier companies¹⁴.

V. Operator Obligations and Responsibilities

The regulation establishes multiple operational and compliance obligations for authorized operators, including:

- Complying with technological, infrastructure, and security requirements established by the DGA;
- Providing accurate information regarding operations and goods;
- Being responsible for damage to or loss of goods under their responsible; and
- Assuming the tax and customs liabilities arising from their operations.

These provisions reinforce the principle of operator responsibility within the international logistics chain, in line with international customs control standards.

VI. Control, supervisión, and verification

The regulation empowers the DGA to conduct periodic inspections¹⁵ and verify the continuous compliance with the conditions under which a license was granted. If an operator intends to enable new facilities or establishments different from those originally authorized, a new license application must be submitted, and all applicable requirements must be met again.

VII. Transitional Provisions and Repeals

The decree includes transitional provisions for operators already authorized prior to its entry into force, requiring them to update their data and records before the DGA within the established timeframes¹⁶.

¹⁰ Art. 34-38;

¹¹ Art. 39-40;

¹² Art. 41-43;

¹³ Art. 44-47;

¹⁴ Art. 48-59;

¹⁵ Paragraph III of Art. 17, regarding the common requirements applicable to legal entities that require the granting of a license.

¹⁶ Art. 61.

It also repeals various prior regulations related to bonded warehouses¹⁷, re-export regimes¹⁸, consolidators¹⁹, the operation of cargo consolidation warehouses²⁰ and customs brokers²¹, with the aim of consolidating the regulatory framework under a modern and harmonized structure.

VIII. Relevance for the Regulation of Law No. 30-24

From a regulatory perspective, Decree 609-24 is particularly relevant for the development of the implementing regulation of Law no. 30-24 on Logistics Centers and Logistics Operator Companies (EOL), insofar as it:

- Reinforces the role of the DGA as a key technical authority in the supervision of logistics operations with customs implications;
- Establishes evaluation criteria based on risk, compliance, and operational capacity, which are also central to the authorization of EOLs; and
- Consolidates the approach based on continuous control and subsequent verification, which may serve as a reference for regulating of logistics centers and operators under the new regime.

In this regard, the regulation constitutes an important complementary framework within the regulatory architecture of the Dominican logistics ecosystem, particularly concerning the interaction between logistics operators, customs authorities, and international trade.

¹⁷ Art. 63.1: Repeals Articles 1, 2, and 3 of Decree No. 284, dated November 4, 1974, which establishes bonded warehouses.

¹⁸ Art. 63. 2: Repeals Articles 3, 4, 6, 8, 9, and 18 of Decree No. 106-96, dated March 25, 1996, which establishes the Regulation for the Re-exportation of Goods;

¹⁹ Art. 63. 3: Repeals Articles 20 and 21 of Decree No. 96-98, dated March 10, 1998, which establishes the Regulation for Consolidators.

²⁰ Art. 63. 4: Repeals Articles 5 and 6 of Decree No. 48-99, dated February 17, 1999, which establishes the Regulation for the Operation of Cargo Consolidation Warehouses.

²¹ Art. 63. 5: Repeals Resolution No. 111-2018 of the Ministry of Finance, dated March 16, 2018, which establishes the procedure and requirements to operate as a Customs Broker.