



CODES OF CONDUCT FOR CUSTOMS BROKERS
IN ACCORDANCE WITH THE CUSTOMS REGULATIONS 1956

- (1) ALL CUSTOMS BROKERS MUST ADHERE TO THE PROVISIONS OF THE CUSTOMS REGULATIONS.**

- (2) A LICENSED CUSTOM BROKER SHALL BE HELD RESPONSIBLE FOR UNLAWFUL ACTS OR OMISSIONS OF ANY PERSON EMPLOYED TO HIM AND ACTING WITHIN THE SCOPE OF THAT PERSON'S EMPLOYMENT.**

- (3) A CUSTOMS BROKER SHOULD MAINTAIN THE DIGNITY AND INTEGRITY OF THE PROFESSION OF CUSTOMS BROKERAGE AND SHOULD AVOID EVEN THE APPEARANCE OF PROFESSIONAL IMPROPRIETY.**
 - (a) A Customs Broker shall at all times maintain the honor and dignity of the profession. He shall abstain from any behavior that may discredit the profession.
 - (b) A Customs Broker shall adhere to the provisions of this Code of Conduct. Each Customs Broker shall maintain his integrity, and should not counsel or assist anyone to act in any way which is detrimental to the customs brokerage profession.
 - (c) A Customs Broker has a duty to expose without fear or favor before the proper tribunals or disciplinary bodies, unprofessional or dishonest conduct by any other Customs Broker or Customs Broker's clerk.
 - (d) A Customs Broker should exercise independent judgment within the bounds of the law and the ethics of the profession for the benefit of his client.
 - (e) A Customs Broker may, where he determines that the interest of his client requires it, and with his client's specific or written general consent or approval, refer his client's business or any part thereof to a fellow Customs Broker whether or not a member of his own firm.
 - (f) A Customs Broker should not withdraw from employment until he has taken reasonable steps to avoid foreseeable prejudice or injury to the position and rights of his client, including the giving of due notice, allowing time for the employment of another Customs Broker, delivery to the client of all documents and property to which he is entitled and complying with such laws, rules or practice as may be applicable.

.....
SIGNATURE OF CUSTOMS BROKER AND DATE SIGNED

.....
SIGNATURE OF PROPER OFFICER AND DATE SIGNED

- (g) A Customs Broker who so withdraws his services from a client shall refund within the following business day, any part of a fee that has not been earned and/or duties, taxes, fees or any monies payable to the Government of Jamaica, provided the sums have not been paid over as revenue, and if paid, proof of such payments should be provided within the said following business day.
- (h) A Customs Broker shall, when dealing with his client's business, provide him with all information as to the progress of the business with due expedition.
- (i) A Customs Broker should ensure that all his employees are registered with the Collector of Customs, and are holders of valid customs broker clerk identification issued by the proper authority, i.e. The Jamaica Customs Department.
- (j) A Customs Broker should ensure that only registered employees are authorized to transact any business with the Customs Department on behalf of the Customs Broker.
- (k) A Customs Broker should ensure that all his employees are aware of their duties and responsibilities.
- (l) A Customs Broker should not make any abusive, threatening, profane, obscene or other insulting, offensive or provocative statement or gesture to or about any other person while in his official capacity.

(4) A CUSTOMS BROKER OWES A DUTY TO THE PUBLIC TO MAKE HIS CONSULTATION ON CUSTOMS BROKERAGE AVAILABLE. A CUSTOMS BROKER OWES A DUTY TO THE GOVERNMENT OF JAMAICA TO ADHERE TO ITS (CONSTITUTIONS) LAWS.

- (a) A Customs Broker is under no obligation to act on behalf of every person who may wish to become his client.
- (b) A Customs Broker should not act contrary to the Laws of Jamaica, or aid, counsel or assist anyone to break those Laws. This includes seeking to bribe agents of the Customs Department to avoid or reduce payments of Duties or to seek preferential treatment, or to impede the processing of other Broker's documents. It is the duty of a Customs Broker in undertaking any business from a client to adhere to Customs Laws and not seek to circumvent them.
- (c) A Customs Broker should not offer any gift, favour or hospitality intended as or having the effect of bribery and or corruption.

(5) A CUSTOMS BROKER SHOULD MAINTAIN PROPER ACCOUNTS AND OBSERVE PROPER ACCOUNTING PRINCIPLES IN THE CONDUCT OF HIS ACCOUNTS, ESPECIALLY IN REGARD TO ACCOUNTING FOR ALL REVENUE, AND THE FUNDS OF HIS CLIENTS.

- (a) It shall be the duty of a Customs Broker to keep separate clients accounts in the interest of facilitating full disclosure to clients when needed.
- (b) It shall be the duty of a Customs Broker to account to his client for all monies being held for the account or credit of his client within one business day following the receipt of such a request.
- (c) Nothing in these documents shall deprive a Customs Broker of any recourse or right whether by way of lien, set off, counter claim, charge or otherwise against monies standing to the credit of a client's account maintained by the Customs Broker.

(6) GENERAL

- (a) The foregoing should not be construed as a denial of the existence of other duties and rules of professional conduct which are in keeping with the traditions of the Customs Brokerage profession, though not specifically mentioned therein.
- (b) Where, in respect of any matter, a provision has not been made in the foregoing Code of Conduct, then the Customs Laws and practice of the Customs Brokerage profession which formerly governed the particular matter shall apply in so far as is practicable.
- (c) Where in any particular matter explicit ethical guidance does not exist, a Customs Broker should determine his conduct by reference to standards of conduct established by existing Customs Laws.
- (d) Where there is a conflict between the foregoing and the Customs Laws, the latter shall prevail.

(7) PENALTIES, APPEALS and GRIEVANCES

- (a) Any infraction or violation of the code of conduct shall be punishable by reference to the appropriate provisions of the Customs Regulations.
- (b) Any appeals or grievances arising as a result of a breach of these codes of conduct shall be governed by reference to the appropriate provisions of the Customs Regulations.



**THE CUSTOMS BROKERS LICENSING ADVISORY BOARD
(C. B. L. A. B.)**

Confirmation of receipt form for the C.B.L.A.B. Code of Conduct

I hereby acknowledge that I have received my copy of the 'Code of Conduct' for the Customs Brokers Licensing Advisory Board.

I have read this Code of conduct and agree to abide by the standards and policies set out therein for the duration of my operating as a Licenced Customs Broker.

Customs Broker's full name – Please type or Print

Name of Proper Officer – Please type or Print

Customs Broker's number (Issued by Jamaica Customs)

Signature of Proper Officer

Customs Broker's TRN

Date

Customs Broker's Signature

Date

Office Stamp

On completion, the duplicate receipt is to be given to the broker and the original receipt is to be placed on the Customs Broker's file.

(Original)

.....
SIGNATURE OF CUSTOMS BROKER AND DATE SIGNED

.....
SIGNATURE OF PROPER OFFICER AND DATE SIGNED



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(Duplicate)

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SIGNATURE OF PROPER OFFICER AND DATE SIGNED