

# **Notice to New Applicants for Customs Broker Licence**

**April 2020**

## **Application Prerequisites**

The Customs Broker Licensing Advisory Board (CBLAB), hereafter referred to as the Board, requires that all applicants for a customs Broker license satisfy Part XVII of the Customs Regulations 1955 before a recommendation can be made to the Commissioner of Customs for the granting of a licence.

Customs Regulation 146(6) provides that the Board shall not recommend the grant of a licence or, subject to paragraph (7), a provisional licence unless it is satisfied that the application is made in accordance with Part XVII of these Regulations.

Specifically, Regulation 146 (6)(a)(vi) requires that an applicant has previously held a licence for a period of not less than one year or, has held a provisional licence for a period of not less than one year during which period the applicant was articulated to a licensed customs broker who had provided adequate training in the functions of a Customs Broker.

Customs Regulation 146(7) further provides that the grant of a provisional licence shall not be recommended by the Board unless the application is accompanied by a letter of undertaking in an approved form from the customs broker to whom the applicant is or will be articulated that the Customs Broker will hold himself responsible for all such Customs transactions and matters related thereto as are engaged in by the applicant during the period that he is articulated to that Customs Broker.

Please note that unless an applicant has previously held a licence for a period of not less than one year, such applicant must comply with the requirements of having a provisional licence of not less than one year before being considered eligible to be recommended for a licence.

## **Knowledge, Competence, and Business Readiness of Applicant**

One of the functions of the Board, pursuant to Customs Regulation 145(17)(e), is to set and conduct examinations for licences and provisional licences. Customs Regulation 147A also makes provision for an applicant to sit a qualifying examination before a licence or provisional licence is granted.

There is also provision for exemption from such qualifying examinations set by the Board as stated in subsection (3) of Regulation 147A. As further stated in Customs Regulation 146(a)(ii), such qualifying examination is in lieu of the minimum educational requirements stated therein to which an applicant may be exempted from if he/she falls in the category of persons specified in Customs Regulations 147A (3).

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It should also be noted that all the provisions of the Customs Regulations must be satisfied separately when there is an application for licence or provisional licence. Hence, the use of the qualifying examination in accordance with Customs Regulation 146(6)(a)(ii) becomes necessary only in cases where the minimum educational requirements outlined therein have not been satisfied.

Notwithstanding, pursuant to Customs Regulation 147A(3), specific types of applicants may be exempt from such qualifying examinations. However, the exemption from such qualifying examinations is not an exemption from the other requirements necessary to determine knowledge, competence, and business readiness as outlined in Customs Regulation 146(6)(a)(v).

Therefore, in order for all applicants for a Customs Broker Licence to satisfy the provisions of Customs Regulations 146(6)(a)(v), the Board and the Jamaica Customs Agency has determined that this provision should be satisfied through the demonstration of competence in the use of the Electronic Integrated Customs Management System (Asycuda World), knowledge of the business as a customs broker as outlined Part XVII of the Customs Regulation and the related Code of Conduct governing the moral obligations of the Customs Broker.