



Australian Government

TLIX0047 Review decisions of regulatory bodies

Release: 1

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Modification History

Release 1. This is the first release of this unit of competency in the TLI Transport and Logistics Training Package.

Application

This unit involves the skills and knowledge required to review the decisions of regulatory bodies, including current Australian Government departments with the responsibility for border clearance issues.

It includes evaluating the need to respond to a dispute, developing a response and initiating further actions. It also includes preparing client for compliance assessment (audit) by regulators and responding to forfeiture, seizure and/or condemnation of goods.

This unit applies to individuals who work in the role of customs broker in an on-the-job environment.

Work is undertaken in a range of environments, including small to large worksites, in the customs broking and international supply chain industries.

No licensing, legislative or certification requirements apply to this unit at the time of publication.

Pre-requisite Unit

Not applicable.

Competency Field

X – Logistics

Unit Sector

Customs Broking

Elements and Performance Criteria

ELEMENTS

Elements describe the essential outcomes.

PERFORMANCE CRITERIA

Performance criteria describe the performance needed to demonstrate achievement of the element.

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| 1 Deal with consequences of duty underpaid or overpaid | 1.1 Voluntary disclosure is discussed and initiated where agreed and available with relevant parties |
| | 1.2 Consequences of underpaid and overpaid duty are explained |
| | 1.3 Regulator's power to recover underpaid duty is explained |
| | 1.4 Owner's ability to recover overpaid duty is explained |
| 2 Determine decision review options | 2.1 Regulatory body decision is evaluated |
| | 2.2 Consultation is held with client |
| | 2.3 Available appeal procedures are explained |
| 3 Develop appropriate dispute response | 3.1 Appropriate dispute resolution procedures are followed |
| | 3.2 Stakeholders are engaged and consulted in response to dispute development process |
| | 3.3 Appropriate dispute response is determined |
| | 3.4 Import declaration is paid under protest in accordance with Customs Act Section 167 is explained |
| | 3.5 Determine where and when dispute response documentation is lodged to relevant regulatory authority in accordance with regulatory procedures |
| 4 Initiate further actions | 4.1 Dispute response is analysed and outcomes are evaluated to determine appropriateness of further actions |
| | 4.2 Stakeholders are consulted about appropriateness of further actions and appropriate advice is provided |

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| | 4.3 | Appropriate actions are taken based on stakeholder consultation |
| 5 | Prepare client for compliance assessment (audit) by regulators | |
| | 5.1 | Legislated requirements to keep records used in the border clearance of goods is explained |
| | 5.2 | Requirements of the production of required records is explained |
| | 5.3 | Customs authority in relation to redline import declarations is explained |
| | 5.4 | Customs authority in relation to undertaking monitoring audits is explained |
| | 5.5 | Customs authority in relation to undertaking monitoring warrants is explained |
| | 5.6 | Legislated process of notification and conduct of a monitoring audit and warrants are explained |
| | 5.7 | Appropriate responses to compliance assessments are explained |
| 6 | Develop responses to Infringement Notices | |
| | 6.1 | Options available when a penalty is threatened and/or received are outlined and implemented as required |
| | 6.2 | Actions subject to penalty provisions are identified |
| | 6.3 | Issuance of Infringement Notices is validated |
| | 6.4 | Elements of an offence are outlined |
| | 6.5 | Consequences of a strict liability offence are explained |
| | 6.6 | Differentiation is explained between a strict liability offence and a prosecution |

	6.7	Available responses to an Infringement Notice are explained
7	Respond to forfeiture, seizure and/or condemnation of goods	
	7.1	Circumstances leading to forfeiture, seizure and/or condemnation of goods are determined
	7.2	Relevant provisions of the Customs Act as amended are reviewed
	7.3	Process of forfeiture, seizure and/or condemnation are explained
	7.4	Available responses and timeframes are explained
	7.5	Detinue action is initiated when required

Foundation Skills

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Range of Conditions

Range is restricted to essential operating conditions and any other variables essential to the work environment.

Non-essential conditions can be found in the TLI Transport and Logistics Training Package Companion Volume Implementation Guide.

Unit Mapping Information

This unit replaces but is not equivalent to TLIX5058 Review decisions of regulatory bodies.

Links

Companion Volume Implementation Guides are found in VETNet - <https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=df441c6e-213d-43e3-874c-0b3f7036d851>