



Australian Government

Department of Education, Employment and Workplace Relations

TLIA4052A Carry out customs clearance practices

Release: 1

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Modification History

Not Applicable

Unit Descriptor

Unit Descriptor

This unit involves the skills and knowledge required to carry out customs clearance practices in accordance with Customs and related legislation and workplace requirements. Licensing, legislative, regulatory or certification requirements are applicable to this unit.

Application of the Unit

Application of the Unit

This unit applies to individuals working as a customs broker. Work must be carried out in compliance with the relevant Customs related legislation and workplace requirements concerning customs clearance practices. Work is undertaken in a range of environments, including small to large worksites in the custom broking and international freight forwarding industries. Work at this level is performed by those who provide leadership of others individually or in teams.

This unit is normally packaged at AQF IV or above.

Licensing/Regulatory Information

Refer to Unit Descriptor

Pre-Requisites

Not Applicable

Employability Skills Information

Employability Skills This unit contains employability skills.

Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.

Performance criteria describe the required performance needed to demonstrate achievement of the element. Assessment of performance is to be consistent with the evidence guide.

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1 Determine the appropriate terms of trade of a consignment	1.1 Determination is made of the correct terms of trade
2 Interpret the rules of origin for preference claim goods within the Customs Act 1901 and Custom Tariff Act 1995	2.1 Schedule 1 of the Customs Tariff Act 1995 is consulted 2.2 Determination is made as to whether goods are the produce or manufacture of a preference country in accordance with the Customs Act 1901 and Customs Tariff Act 1995 2.3 Determination is made as to whether the goods qualify for preferential treatment under free trade agreements or other preferential trade agreements 2.4 Determination is made as to whether direct shipment requirements in the Customs Act 1901 have been met
3 Interpret concessional rates of duty in Schedule 4 to the Customs Tariff Act 1995	3.1 The relevant tariff concession order is interpreted 3.2 The relevant by-law is interpreted 3.3 The correct treatment code or reference code for concessional entry of goods is applied
4 Interpret special provisions relating to anti-dumping measures within the Customs Act 1901 and the Customs Tariff (Anti-Dumping) Act 1995 and related legislation	4.1 Determination is made as to whether interim dumping duty applies to the goods 4.2 Determination is made as to whether interim countervailing duty applies to the goods 4.3 Determination is made as to whether dumping duty applies to the goods 4.4 Determination is made as to whether countervailing duty applies to the goods 4.5 Interim dumping duty security amount is calculated 4.6 Interim or dumping duty payable is calculated 4.7 Accuracy of the duty calculation is verified
5 Interpret industry assistance provisions	5.1 Duty concession AusIndustry assistance schemes are applied to the goods 5.2 Determination is made as to whether the goods comply with the requirements of the scheme(s)
6 Apply the relevant rate of duty to the goods	6.1 The importer and seller are identified 6.2 The relevant contract and commercial invoice are identified 6.3 The terms of trade relevant to the contract are identified 6.4 Situations where there is insufficient reliable information are identified
7 Determine availability of customs duty refunds, rebates and	7.1 The documents are examined for completeness 7.2 The circumstance giving rise to the refund, rebate or remission

ELEMENT	PERFORMANCE CRITERIA
remissions	opportunity is identified 7.3 The relevant Customs Regulation and reason code is determined 7.4 The time frames within which refunds are available is determined in accordance with the regulations 7.5 The refund application or Version 2 of the import declaration is prepared
8 Interpret and apply the Security and Temporary Import Provisions of Customs legislation	8.1 The transaction giving rise to the Temporary Import and/or Security undertaking is established as conforming to the requirements of the Customs Act 1901 and Regulations 8.2 Application forms are completed and lodged in accordance with Customs Regulations
9 Calculate and advise on drawback claims and advise on TRADEX procedures	9.1 Receive import and export documents sufficient to prepare claim 9.2 Determine that the claim is made within prescribed time frames 9.3 Drawback claim is prepared and calculated in accordance with a Customs approved method 9.4 Situations suitable for TRADEX registration are identified
10 Apply dispute resolution procedures	10.1 Customs internal appeal procedures are exhausted 10.2 The circumstance giving rise to the dispute is identified in accordance with the Customs Act 1901 10.3 Any Customs demands are identified within the legislation 10.4 Requirements for payment under protest are determined 10.5 Time frames within which action must commence are determined 10.6 Requirements for the referral to a court of Competent Jurisdiction are determined 10.7 Provisions relating to forfeiture, seizure and condemnation of goods are reviewed
11 Determine the situations under which Customs may impose penalties	11.1 Determine the offence that has been committed 11.2 Determine if it is a strict liability offence 11.3 Determine appropriate time frames within which penalties may apply and demand may be made
12 Calculate FOB value, applying currency conversion and factorisation principles	12.1 The components that constitute the price paid or payable are identified 12.2 Terms of trade relevant to the invoice are identified 12.3 Currency used is identified 12.4 Adjustments are identified 12.5 Additions and subtractions to price are made 12.6 Costs against goods are apportioned using factorisation 12.7 Applicable rate of exchange is applied

ELEMENT**PERFORMANCE CRITERIA**

- 12.8 FOB value field on entry/declaration is completed
- 12.9 Calculations are checked for accuracy and verified as required
- 12.10 Completed documentation is retained by relevant personnel in the enterprise in accordance with the requirements of Customs and related legislation and workplace procedures
- 12.11 Relevant documentation is passed on to the client

Required Skills and Knowledge

REQUIRED KNOWLEDGE AND SKILLS

This describes the essential knowledge and skills and their level required for this unit.

Required knowledge:

- Relevant sections of customs and related legislation, regulations and codes of practice relevant to customs clearance operations
- Relevant OH&S and environmental protection procedures and guidelines
- Workplace procedures and policies for customs clearance operations
- Focus of operation of work systems, equipment, management and site operating systems required for customs clearance operations
- Documentation requirements for customs clearance practices
- Requirements for completing relevant documentation
- Routine issues that may occur during customs clearance and appropriate action that can be taken to deal with the issues
- Sources of information on new developments in customs clearance practices
- Ways of learning the skills and knowledge required for new developments in customs clearance practices
- Steps involved in planning the work activities
- Procedures for managing and controlling hazardous situations when carrying out work activities

Required skills:

- Negotiate, communicate and liaise effectively with customers and others
- Read and interpret instructions, procedures and information relevant to customs clearance practices
- Interpret and follow operational instructions and prioritise work

Required skills:

- Plan and organise work activities when carrying out customs clearance practices
- Complete documentation related to work activities
- Select and use relevant computer/communication/office equipment when carrying out customs clearance practices
- Work collaboratively as part of a customs broking team
- Adapt appropriately to cultural differences in the workplace, including modes of behaviour and interactions with others
- Modify activities depending on differing workplace contexts, risk situations and environments, including taking appropriate initiatives within allowable limits
- Deal with routine issues that may arise when carrying out customs clearance practices
- Identify, interpret and learn skills and knowledge required for relevant new developments in customs clearance practices
- Work systematically with required attention to detail without injury to self or others, or damage to goods or equipment

Evidence Guide**EVIDENCE GUIDE**

The evidence guide provides advice on assessment and must be read in conjunction with the performance criteria, required knowledge and skills, the range statement and the assessment guidelines for this Training Package.

Critical aspects for assessment and evidence required to demonstrate competency in this unit

- The evidence required to demonstrate competency in this unit must be relevant to and satisfy all of the requirements of the elements and performance criteria of this unit and include demonstration of:
 - selecting and using the technology required to carry out customs clearance practices
 - determining and identifying offences and applicable time frames
 - applying procedures for compliance with Customs and related legislation
 - conducting calculations and appropriate adjustments undertaken as part of routine customs clearance operations
 - recognising and dealing with routine issues that may arise during customs clearance operations

Context of and specific resources

- Performance is demonstrated consistently over a period of time and in a suitable range of contexts

EVIDENCE GUIDE

for assessment

- Resources for assessment include:
 - a range of relevant exercises, case studies and/or other simulated practical and knowledge assessment, and/or
 - access to an appropriate range of relevant operational situations in the workplace
- In both real and simulated environments, access is required to:
 - relevant and appropriate materials and equipment, and
 - applicable documentation including workplace procedures, regulations, codes of practice and operation manuals

Method of assessment

- Assessment of this unit must be undertaken by a registered training organisation
- As a minimum, assessment of knowledge must be conducted through appropriate written/oral tests
- Practical assessment must occur:
 - through activities in an appropriately simulated environment at the registered training organisation, and/or
 - in an appropriate range of situations in the workplace

Range Statement

RANGE STATEMENT

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance.

Information on relevant aspects of customs clearance practices may include:

- the structure and application of anti-dumping laws in Australia
- differences between the Tariff Concession and By-law and other industry assistance initiatives
- the use of the Penalties and Infringement Notice Scheme
- the various forms and functions of securities and temporary importations
- recovery of shortpaid duties
- the procedures for 'Payments Under Protest'
- Customs Act 1901 and regulations as they relate to refunds, remissions and drawbacks

RANGE STATEMENT

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| Assistance schemes include: | <ul style="list-style-type: none"> • 'Seizure', 'Forfeiture and 'Condemnation' as it relates to customs clearance practices • requirements for preferential treatment of goods under free trade agreements and other preferential trade agreements • Tradex Scheme which provides for an upfront exemption from customs duty and taxes on imported goods intended for re-export or to be used as inputs to exports • Enhanced Project By-law Scheme (EPBS) provides duty concessions on eligible goods used in major projects |
| Tariff concession order refers to: | <ul style="list-style-type: none"> • Part 1 of the Schedule of Concessional Instruments published by the Australian Customs which lists goods covered by item 50 of Schedule 4 |
| By-law refers to: | <ul style="list-style-type: none"> • instruments issued to the 4th Schedule to the Customs Tariff Act 1995 items as published by the Australian Customs |
| Interim dumping, dumping and countervailing duty: | <ul style="list-style-type: none"> • have the meanings contained in Section 269T (Definitions) of the Customs Act 1901 |
| Interim duty security amount may include: | <ul style="list-style-type: none"> • any duty collected under Section 42 of the Customs legislation on any duty payable under the Customs Tariff (Anti-Dumping) Act 1995 |
| Other concessional schemes may include: | <ul style="list-style-type: none"> • Automotive Competitiveness and Investment Scheme (ACIS) • Quota |
| New developments in border clearance operations may include: | <ul style="list-style-type: none"> • regulations • processes • systems • technology • types and packaging of goods |
| Information on new developments in border clearance operations may be obtained from: | <ul style="list-style-type: none"> • internal networks such as: own team, staff in other departments, support staff, managers, training staff, etc. • external networks • bulletins, journals, magazines, books, etc. • internet websites • internal and external training programs |
| Ways of learning skills and knowledge required for new developments in border clearance operations may include: | <ul style="list-style-type: none"> • external training programs • internal training programs • reading independently • coaching in the workplace • online learning on a computer • networking with relevant internal and external contacts |

RANGE STATEMENT

Depending on the organisation concerned, workplace procedures may be called:

- standard operating procedures (SOPs)
- company procedures
- enterprise procedures
- organisational procedures
- established procedures

Communication in the work area may include:

- phone
- electronic data interchange (EDI)
- fax
- email
- internet
- RF systems
- oral, aural or signed communications

Consultative processes may involve:

- other employees and supervisors
- clients
- agents
- relevant authorities and institutions
- management representatives

Documentation and records may include:

- Customs and related legislation
- other regulatory requirements pertaining to customs clearance functions
- relevant sections of the Australian Customs Manual
- dumping commodities register
- manifests, delivery notes, special clearances, consignment notes, authorised weighbridge certificates, and special clearances
- internal documentation used for customs clearance functions
- operations manuals, job specifications and induction documentation
- manufacturers specifications for equipment
- workplace procedures and policies
- client instructions
- award, enterprise bargaining agreement, other industrial arrangements
- quality assurance procedures
- emergency procedures

Applicable legislation and regulations may include:

- Customs and related legislation pertaining to customs clearance functions
- privacy legislation
- export/import/quarantine/bond requirements
- workplace relations regulations

RANGE STATEMENT

- equal opportunity legislation
- equal employment opportunity and affirmative action legislation
- relevant state/territory OH&S and environmental protection legislation

Unit Sector(s)

Not Applicable

Competency Field

Competency Field A - Handling Cargo/Stock