

Application Process and Procedure for an Individual Licence, Body Corporate Licence, and Provisional Licence

GENERAL REQUIREMENTS

- Applicants are required to submit a single completed application form along with signed cover letter with two passport size pictures certified by a Justice of the Peace. Appropriate documents pertinent to the application must also be submitted as per instructions or request from the Board.

Applying for an Individual Licence

- The applicant must successfully meet the following requirements in order to satisfy the requirements of **Customs Regulation 146 (3) and (6)(a)(i)-(vi)** before being considered and recommended for a licence or provisional licence
 - Submit evidence confirming Residence in Jamaica
 - Submit evidence confirming minimum educational qualification or evidence of successful completion of qualifying examination or provide evidence of exemption therefrom to satisfy the conditions of exemption outlined in **Regulation 147A (3)**
 - Applicant should not be a disqualified person (**Section 144**):-
 - Should not be under the age of 18,
 - Should not be an undischarged bankrupt
 - Should not be suffering from physical and mental disability that affect ability to function properly in the business as a customs broker or as a clerk to the customs broker, as the case may be.
 - Applicant must be tax compliant
 - Applicant must be of good character
 - Applicant must demonstrate knowledge and competence relating to the function of a customs broker and is capable of carry on business as a customs broker
 - Applicant should either have held a licence for a period of not less than one year or has held a provisional licence for not less than one year where adequate training was received in the functions of a customs broker while being articulated to a licensed customs broker. **Applicant must submit to the Board the formal evaluation and assessment form completed by the customs broker to whom applicant was articulated along with letter from said customs broker confirming completion of articulated period.**

Applying for Body Corporate –Customs Regulation 144 and 146 (6)(c) (i)-(iii)

- Body should not be a “disqualified person” (**Section 144**):-
 - Not subject to the passing of a resolution to wind-up of the business or subject to jurisdictional court order to wind-up;
 - Not involved in any proceeding that may result in its properties being distributed among creditors;
 - Not in receivership;
 - Has no director under 18, or a director who is an undischarged bankrupt, or a director who is suffering from physical and mental illness that affects ability to function as customs broker or as a clerk to the customs broker.
- Body is incorporated in Jamaica
- Every Director and each person who manages or controls that body is of good character and is otherwise, a fit and proper person.
- Majority Directors reside in Jamaica and satisfy the minimum educational requirements stipulated in the Regulation
- One of the Directors must be a trained and Licensed Customs Broker or holder of a Provisional Licence

Vetting Verification Process for Applications Received for Individual, Body Corporate Licence and Provisional Licence

- Display of Public Notice at the Customs House for a period of fourteen (14) days indicating that application is received for an Individual Licence or Provisional Licence so that any potentially interested party can offer an objection to granting of licence or provisional licence to such applicant. The full name and address of the individual will be displayed. **This excludes Body Corporate - Section 146 (4).**
- Background investigation of applicant by the Jamaica Customs Agency to verify if applicant is:
 - a disqualified person,
 - of good character,
 - a resident of Jamaica

Documentary requirements to be submitted by all applicants so as to validate compliance with requirements of the Customs Regulation:-

- Valid Tax Compliance (online print)
- Recent (within the last three months) utility bill confirming Residence or Letter from Justice of the Peace confirming residence.
- Valid Police Record to determine good character and fit and proper status
- Two Character References, one being a Justice of the Peace to confirm address and good character
- Copy of Birth Certificate or Passport Biographical Page, certified by JP (to confirm identity and age of applicant)
- Minimum CSEC /General Certificate of Educational (GCE- O Level) or its equivalent in at least two or more subjects including English Language and satisfy the Board of proficiency in Commercial Arithmetic.
- Certificate of Incorporation for Body Corporate applications (to confirm registered status of Body Corporate)
- List of Directors approved by the Company Office of Jamaica confirming directors of Body Corporate. One of these Directors must be trained in customs brokerage as a licensed customs broker.

General Processing Procedures Governing Application for Licences

- Applications are received, vetted, and referred to Customs Broker Licensing Advisory Board (CBLAB) for review and consideration for further processing
- Applicants cleared at this stage are referred for assessment to determine competence, knowledge, and capability to carry on business as a Customs Broker. Assessment will determine knowledge and competence in the use of ASYCUDA, knowledge regarding the business of customs broker outlined in Part XVII of the Customs Regulation and the associated Code of Conduct. Relevant training fees will be applicable.
- Completed Assessments will be returned to the Board for review.
- Successful applicants, attaining the required pass marks, will be recommended to the Commissioner for the granting of a licence and informed accordingly subsequent to the Commissioner's concurrence and response.
- Unsuccessful applicants will also be referred to the Commissioner who will be advised that such applicants were not successful and therefore not eligible for the granting of a licence. Subsequent to the Commissioner's concurrence and response unsuccessful applicant will be informed and advised of the procedure for re-sit, re-application, and/or appeal.

Procedure for the Application for Provisional Licence

- Applicant submits/uploads completed application form along with signed cover letter
- Letter of undertaking from such licensed customs broker to whom applicant is or will be articulated, indicating that the customs broker will hold himself responsible for all such transactions and matters related thereto as are engaged by the applicant during the period that he/she is articulated to that customs broker
- Application must be made in accordance with further stipulations of Regulation 146 before applicant is considered and recommended for a provisional licence. The applicant must meet the following requirements:-
 - Submit evidence confirming residence in Jamaica
 - Submit evidence confirming minimum educational qualification or evidence of successful completion of qualifying examination or provide evidence of exemption therefrom to satisfy the conditions of exemption outlined in Regulation 147A (3)
 - Applicant should not be a disqualified person:-
 - Should not be under the age of 18,
 - Should not be an undischarged bankrupt
 - Should not be suffering from physical and mental disability that affect ability to function properly in the business as a customs broker or as a clerk to the customs broker, as the case may be
 - Applicant must be tax compliant
 - Applicant must be of good character

NB. A Provisional Licence is valid for only one year and is not subject to automatic renewal. The Board shall not recommend the granting of a provisional licence for more than two consecutive years. Any such consideration shall be in accordance with the circumstances outlined in Regulation 146 (8) and (9)

(8) The holder of a provisional licence may, before the expiration thereof, apply to the Board in the approved form to be considered and recommended for the grant of another provisional licence by the Commissioner, so, however, that the Board shall not recommend the grant of a provisional licence to any person for more than two consecutive years unless it is satisfied that the applicant was unable to sit or pass the appropriate examination on account of:-

- a. Illness;*
- b. Absence from the Island for a good cause;*
- c. Any other reasonable causes*

(9) The Board may, in relation to any application, recommend to the Commissioner that a licence or provisional licence be granted unconditionally or subject to conditions as the Board may specify.

Vetting/Background Review Process

- Display of Public Notice at the Customs House for fourteen (14) days indicating that application is received for an Individual Licence or Provisional Licence so that any potentially interested party can offer an objection to granting of licence or provisional licence to such applicant. The full name and address of the individual will be displayed - Section 146 (4)
- Background investigation of applicant by the Jamaica Customs Agency to verify qualification status, good character, and confirmation of residence

Documentary Verification Process

- Valid Tax Compliance Certificate (online print)
- Recent (at least six months) utility bill confirming Residence
- Valid Police Record to determine good character and fit and proper status
- Two Character Reference, one being a Justice of the Peace to confirm address and good character
- Copy of Birth Certificate or Passport Biography Page, certified by JP, confirming identity and age of applicant
- CSEC /General Certificate of Education qualification/MIND Certificate/CMU Certification which must include Mathematics (commercial arithmetic) and English Language, to confirm level of qualification

Processing Procedure of Application

- Applications are received, vetted, and referred to Customs Broker Licensing Advisory Board (CBLAB) for review and consideration for further processing.
- Successful/unsuccessful applicant is recommended to Commissioner for provisional license to be approved for granting or to be denied granting.
- Unsuccessful applicants for a Provisional Licence will be required meet the stipulated requirements to be the holder of a provisional licence. The Board will advise the Commissioner accordingly. Subsequent to the approval and response from the Commissioner, the applicant will be informed in writing regarding the procedure for re-application, and/or appeal.
- Successful applicant is informed of the granting of the provisional licence and advised to pay applicable processing fees and minimum security/bond requirements for the first year of licence- **Customs Regulation 146 (10) and Regulation 147**
- The Provisional Licence identification (ID) card will be printed and issued to the successful applicant and will contain the licensee's name, type of licence and expiry date.
- E-Certificate/Manual Certificate of provisional licence will also be prepared and issued to applicant once all requirements are satisfied.
- Control access to ASYCUDA will be granted to the Provisional Licence holder against the licence of that customs broker to whom applicant has been articulated. Such

Customs Broker will monitor the Provisional Licence holder throughout the year and conduct an assessment at the end of the articulated period.

- The completed assessment form should be submitted to CBLAB at the expiration of the articulated period of one year from the date that the provisional licence was granted and issued.
- A Provisional Licence holder, after successful completion of one year of being articulated, can apply for an individual licence once all other conditions have been satisfied for such application to be received and reviewed by the Board.

General procedure for successful finalization of application

Successful application for Individual Licence, Body Corporate and Provisional Licence

- Applicant pays relevant processing fees and minimum security/bond requirements for the first year of licence- **Customs Regulation 146(10) and Section 147**
- Relevant Individual, Body Corporate, Provisional Licence ID Cards are printed and issued to approved applicants.
- E-Certificate of Licence/Manual Licence issued to approved applicants once all requirements are satisfied- **Section 146(10)**
- Licences/IDs will be valid until March 31 of the licensing year as stipulated in the Regulation – **Customs Regulation Section 146(10) and (11)(a)**.
- Provisional Licences and IDs shall expire one year after the date of approval by the Board.