



AUSTRALIAN CUSTOMS AND BORDER PROTECTION NOTICE NO. 2015/17

Customs Brokers Licensing - Acquired Experience

The Australian Customs and Border Protection Service (ACBPS) has received enquiries about the status of a pass in a national examination or assessment as one element in establishing that the applicant has “acquired experience that fits them to be a Customs Broker”. Those enquiries were from persons considering making an application for a customs broker licence.

Acquired Experience

The CEO of Customs is required to consider whether an applicant for a customs broker licence (nominee or sole trader) is:

- a fit and proper person; and
- qualified to be a customs broker.

To be qualified to be a customs broker, a person needs to have:

- completed (or be exempted from completing) an approved course of study or instruction; and
- acquired experience that, in the opinion of the CEO, fits the person to be a customs broker.

Australian Customs and Border Protection Notice (ACBPN) No. 2013/21, in addressing “acquired experience” stated among other things:

A number of organisations may conduct an examination that assists applicants who have completed (or been exempted from) the approved course of study in demonstrating that they have the knowledge required of a customs broker. The CEO may take into account the successful completion of such an examination when assessing whether an applicant has acquired experience that fits them to be a customs broker. The weight afforded to successful completion of any particular examination from time to time will depend upon a number of factors including:

- how well it is perceived to test practical experience and not simply academic knowledge
- the breadth of the range of practical issues that it tests and the depth of experience that it requires to resolve these issues, and
- the rigour with which the examination is conducted.

The most important element of demonstrating acquired experience is nevertheless the applicant’s employment history as detailed in the documentation supporting their application. While successfully completing an examination can be an additional element in demonstrating acquired experience, it is not mandatory nor is it sufficient in itself.

Further details on acquired experience for customs broker licence applications can be found at: <http://www.customs.gov.au/site/BrokerApplication.asp>. Select “Nominee” then document 3 “Guidelines for Acquired Experience for Nominee Customs Broker Licence Applications”.

Recent Developments

Late last year, the Customs Brokers and Forwarders Council of Australia Inc. (CBFCA) advised of its decision to cease offering its national examination. In that article, the CBFCA stated:

“The ACBPS has determined that the weight given to the National Examination as a form of evidence of acquired experience has declined significantly and the National Examination is now only one form of evidence that may be considered as part of the licensing process.” and “... **while the CBFCA believed its National Examination historically set a standard for academic performance, the evidence would suggest that the ACBPS no longer shares this view. This change of focus has led the CBFCA to determine that the National Examination no longer serves the purpose for which it was created, either in terms of a standard for industry or as a means of determining acquired experience**”.

The ACBPS does not necessarily agree with the views expressed by the CBFCA above.

Myfreightcareer continues to offer its *Customs Broking Experience Assessment*.

Comment

In the light of comments made by the CBFCA, and in the interests of providing guidance to those individuals thinking of applying for a customs broker licence, the ACBPS advises that its position on acquired experience, as outlined in ACBPN No. 2013/21, remains unchanged.

Furthermore, the weighting given by the ACBPS and the National Customs Brokers Licensing Advisory Committee (NCBLAC) to the completion of a national examination or assessment has not changed in recent years.

The ACBPS and NCBLAC will continue to have regard to the completion of any national examination or assessment as one element in assessing whether or not an applicant has “acquired experience that fits them to be a Customs Broker”. Both the ACBPS and NCBLAC place greater importance, however, on the relevant work experience of the applicant.

The completion of a national examination or assessment is a relevant factor when assessing the acquired experience of an applicant for a customs broker licence, however, it is not a determinative factor.

Completion of a national examination or assessment is not mandatory and has, in fact, never been mandatory.

Enquiries concerning this notice may be directed to brokers.licensing@customs.gov.au.

[Signed]

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CANBERRA ACT

8 May 2015