



# Bare Facts

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*After a globally turbulent 2010, it is refreshing to know that a new year is just around the corner. All of us here at JJL thank you for your ongoing support over the last year and we wish you all a very happy and prosperous 2011.*

*Merry Christmas everyone!*

*Jim Lawson  
Managing Director*



## Matt's top tip

### CUSTOMS AUDITS

On 1 July 1989, the Australian Customs & Border Protection Service (AC&BPS), or the Australian Customs Service (ACS) as it was then, moved away from a process of examining import documents for every shipment of goods imported into Australia to a self-assessment system.

To ensure compliance with Customs Law in this new self-assessment regime, an administrative penalty system was introduced backed up by audit programs.

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# JJL Personnel

There have been a few new recruitments and internal movements over the last few months at JJL. If you are not sure who you need to talk to, call Donna on the main switch and she'll put you through to the right person:

Reception / Switchboard	RACHEL WINDON
Managing Director	JIM LAWSON
General Manager	MARTY LAWSON
Customs Manager	NATHANIEL ALFONSO
Sea-Freight Manager	DENIS COSO
Sea Imports	DANNIELLE PLATTEN
Airfreight Manager	MICHAEL CUNNINGHAM
Air Imports	MATT CUSKELLY
Senior Broker	CON BOUROLIAS
Consultancy	MATT MCAULIFFE
Runner	ETHAN PARKER
Customs Clerk	MELISSA BAKEWELL
Phone: 02 9669 3011 Fax: 02 9693 5872 Email: <a href="mailto:customs@jjlawson.com.au">customs@jjlawson.com.au</a>	
Freight Forwarding Manager	TIM MYERS
Freight Operations	TERRY MORRIS
Freight Clerk	DONNA ZARRIS
Account Manager	REBECCA HIGHAM
Phone: 02 9669 3011 Fax: 02 9313 5505 Email: <a href="mailto:freight@jjlawson.com.au">freight@jjlawson.com.au</a>	
Financial Controller	CINDY XU
Accounts Payable	AYSHA AKHTER
Accounts Receivable	BIJAL SAGAR
Accounts Receivable	SHARDA SHARMA
Phone: 02 9669 3011 Fax: 02 9669 3913 Email: <a href="mailto:accounts@jjlawson.com.au">accounts@jjlawson.com.au</a>	
Transport Manager	GREG LAWSON
VBS Manager	JAMES TARLETON
VBS	LYNNE KERR
Allocator	DION CUSHWAY
Operations Manager	ADAM MILTON
Transport Costings / LCL	IAN LOY
Admin / LCL	SIMONE MOLLOY
Warehouse Manager	BEN McMURDO
Warehouse Supervisor	KETUT SUDARMA
Yard Supervisor	AI O'CONNELL
Night Shift Supervisor	CHRIS HARVEY

Phone: 02 9755 5855 Fax: 02 9755 5191  
Email: [transport@jjlawson.com.au](mailto:transport@jjlawson.com.au)



## Dollars and Cents

As the Australian dollar fluctuates around new highs against many foreign currencies, it is important to remember that the customs value of imported goods must be expressed in Australian currency. If it is expressed in a foreign currency, it must be converted into Australian currency at the rate of exchange prevailing on the day of export of the goods (not the day the goods arrive in Australia). This rate is specified by the CEO of Customs (*section 161J of the Customs Act 1901*).

Daily exchange rates are published at [www.customs.gov.au](http://www.customs.gov.au). Any enquiries regarding exchange rates should be directed to the Customs Information and Support Centre by telephone 1300 363 263 or email [information@customs.gov.au](mailto:information@customs.gov.au).

## Port Botany goes up and up!

By the end of September 2010, Port Botany had recorded its 12th consecutive month of growth in container trade, showing that NSW imports and exports are clearly buoyant.

Over 173,600 TEUs (twenty foot equivalent units) moved through Port Botany in September 2010, an increase of 12.6 percent on the same month last year.

Currently, the key exports driving this growth are chemicals, paper, iron and steel. Most of these containers are travelling to East Asia, with China accounting for 34 percent of export trade.

Imports also increased by 11.6 percent on the same month last year, with well over half of all imports coming from East Asia and South East Asia. The biggest import categories were textiles, paper, chemicals, machinery and transport equipment.



## BEAR BITS

With their distinctive black and white coats, pandas are now one of the rarest mammals on Earth. It is estimated that there are now less than 2000 pandas left in the wild and captivity.

Pandas are solitary animals and only mix with others during the mating season. They mark their territory much like other animals by leaving their scent (urinating) on trees. The higher up the tree the scent is, the more dominant the bear. Recent camera footage recorded by the BBC showed male pandas in their natural habitat performing handstands against trees in an effort to ensure their scent was at the highest level!



# Matt's top tip

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The AC&BPS's current audit program is known as the Compliance Monitoring Program. It operates at a number of levels and aims to check about 6000 import lines of cargo and 1000 export lines of cargo per year.

From an importer's perspective there are two main ways you will be the subject of a Customs audit, either by Red Line Processing or The Exercise of Monitoring Powers, however these are not only powers the AC&BPS has at its disposal.

**Red Line Processing** was re-introduced last year and involves a desk audit, whereby the AC&BPS intervenes in the clearance process when a broker or importer lodges a Customs Entry. Instead of receiving the normal 'Clear' status, a computer generated notification is received to produce documents (this is commonly referred to as a "Section 71A Notice"). The broker or importer then forwards their import documents to the AC&BPS for evaluation. When a shipment is directed for Red Line Processing, Customs Clearance will be delayed.

**The Exercise of Monitoring Powers** is undertaken on a post entry basis, i.e. after goods have been cleared for Customs purposes. Monitoring Powers include search of premises, taking of photographs, inspecting goods, taking samples, inspecting documents and other records and taking copies thereof.

In the exercise of Monitoring Powers under Section 214AE of the Customs Act, the AC&BPS will visit your premises to conduct the audit. The AC&BPS must seek your written consent to enter to your premises to exercise Monitoring Powers and you are within your rights to withhold your consent. If you withhold consent the AC&BPS can apply to a magistrate for a warrant authorising access and the use of Monitoring Powers.

As a general rule, AC&BPS will advise you well in advance of their intention to exercise Monitoring Powers and provide you with a list of import shipments that they wish to inspect. This list will usually cover 60 lines of import cargo and may go as far back as four years.

Please note that under Section 240 of the Customs Act importers have a legal obligation to keep copies of any commercial documents relating to the goods they import for FIVE years.

"Commercial Documents" are very broadly defined in the Customs Act as being any documents that are prepared in the ordinary course of business for the purpose of a commercial transaction involving goods or the carriage of goods. Strangely, the definition excludes the Customs Entry itself.

Examples of the types of commercial documents that the AC&BPS would expect to see could include import invoices, bills of lading or airway bills, packing lists, orders and order confirmations, payment documents, developing country declarations, Free Trade Agreement Certificates, documents relating to goods or services you may have provided to the overseas supplier for use in manufacturing goods for you, documents relating to royalties and licence fees that relate to the goods you import, and so on.

The exercise of Monitoring Powers does not usually mean that the AC&BPS thinks that you are doing anything wrong. As a general rule the AC&BPS uses Monitoring Powers to test the accuracy of information it receives by way of the Customs Entry and identify problem areas. Although if your imports fall into a category where the AC&BPS has found other importers are having problems, this could also give rise to the use of Monitoring Powers.

If you receive a letter from the AC&BPS advising that your company has been selected for compliance monitoring, please let us know so that we can assist in the preparation of the documents and discuss with you what is likely to happen during such an audit.

## AQIS BRIEF

No HOT TIP is complete without advising you of some Quarantine changes!

The European Union has banned the use of Methyl Bromide fumigation by member states. As such, AQIS no longer accept methyl bromide fumigations carried out in members states of the European Union, even if carried out in accordance with AQIS requirements.

So if you are importing goods from the EU and wooden packaging has been used it will have to be treated by another method – such as Heat Treatment, Kiln Drying or Permanent Immunisation. ISPM 15 treated timber remains acceptable.

Also, just a reminder that packing materials made from plywood, particleboard, chipboard, MDF, masonite or oriented strandboard are not considered to be timber for the purposes of AQIS' timber packaging requirements and so they do not require fumigation or other treatment. Thus the question on the packing declaration for FCL and LCL shipments regarding whether timber packing materials have been used can be answered 'NO' if all wooden packing materials used are made from these products.

On a final note, if your supplier answers 'NO' to the timber packing question on the Packing Declaration, please advise them they are not to answer the subsequent questions as, under our AQIS Accreditation, we can no longer accept Packing Declarations presented in this format.



## Set sail for summer!

Summer has finally arrived and the water is so enticing - especially when it's for pleasure, not business!

A few simple reminders to stay safe offshore:

- Stay at least 30 metres from any other vessel or person in the water when travelling over 10 knots
- Give way to ferries – it's the law!
- Don't drink and drive – on land or sea
- Keep out of commercial shipping lanes
- Take your rubbish home with you – pollution is ugly and dangerous

For details of special events on Sydney Harbour, including New Years Eve and Australia Day, visit [www.maritime.nsw.gov.au](http://www.maritime.nsw.gov.au)



# Meet the Bears!



**Rebecca Higham AKA Lee Baker**  
Account Manager

**I first started at JJL...**  
*in November 1999. After a few years, I left to travel and work overseas for a while and have now been back at JJL since February 2006.*

**The best thing about my job is...**  
*being able to get out and about and meet our clients. Chatting with them and seeing how their business works is a great part of my job.*

**My biggest work achievement to date is...**  
*having had the opportunity to work in a variety of roles at JJL and gain experience in many areas of the industry.*

**My ideal weekend would be spent...**  
*sailing around the Caribbean!*

**The most amazing thing I ever saw was...**

*I couldn't narrow it down to just one thing - travelling really opens up a whole world of amazing sights and places. Iguazu Falls, Grand Canyon and Halong Bay are just a few of my favourites.*

**To me, sport is...**

*having fun, keeping fit and catching up with friends.*

**I really admire...**

*honesty and hard work.*

**When I'm driving, I'm listening to...**

*my GPS telling me where I am supposed to be going!*

**In ten years time, I'll be...**

*the boss! Gotta aim high!*

**All I want for Christmas is...**

*a red 1965 Mustang...or a blue one...I'm not too fussed*

**What I like most about working for JJL is...**

*the people and being part of the big JJL family. It's great to be able to come to work each day and really enjoy working with friends that you have had for many years.*



## E-Bare Facts

*If you would also like to receive Bare Facts as a attachment or HTML, please e-mail [marty@jjlawson.com.au](mailto:marty@jjlawson.com.au) stating your preference.*



[www.jjlawson.com.au](http://www.jjlawson.com.au)



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