

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ONTARIO



Sault College

COURSE OUTLINE

COURSE TITLE: INTRODUCTION TO CUSTOMS LAW

CODE NO. : CJS414 **SEMESTER:** 3

PROGRAM: LAW AND SECURITY

AUTHOR: FRANK CAPUTO

DATE: SEPT./00 **PREVIOUS OUTLINE DATED:**

APPROVED:

DEAN DATE

TOTAL CREDITS: 4

PREREQUISITE(S): NONE

LENGTH OF COURSE: 3 HOURS/PER WEEK

TOTAL CREDIT HOURS:

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*School of
(705) 759-2554, Ext.*

I. COURSE DESCRIPTION:

This course will give the student an overview of the workings and practice of Canadian Customs Administration and operations, as well as Canadian Immigration and its policy and procedures. The course will outline a basic introduction of the Customs Act, Criminal Code offences, Immigration Act, Narcotic Control Act, Excise Tax Act, Excise Act, Anti-Dumping Act, and Customs Tariff Act, as it relates to the Department of National Revenue Customs and Excise. The student will be able to recognize violations, complete appropriate reports and assess penalties.

The concepts of orientation, facilitation, and verification will be emphasized through the course.

II. LEARNING OUTCOMES AND ELEMENTS OF THE PERFORMANCE:

Upon successful completion of this course, the student will be able to:

1. have a working knowledge of rules and regulations that a Customs Inspector uses in his/her administration of duties;
2. develop an understanding of Canadian Immigration and relate it to Customs work;
3. learn to identify various Customs violations, prepare reports and other related enforcement documents;
4. develop an understanding of the GST and Free Trade Agreement, and its repercussions on Canadian society and Canada's economic problems (Cross Border Shopping);
5. understand the three key components of the course - orientation, facilitation, and verification, and apply them to the workings of a Customs Port;
6. determine their own level of tolerance and the importance of communication skills (KINESICS);
7. to help foster and achieve compliance with all legislative provisions for which Customs and Excise has administrative responsibility in an efficient and responsive manner.

III. TOPICS:

1.
 - a) History of Customs & Excise in Canada (How Customs has evolved).
 - b) Why we need Customs and Immigration at our borders.
2.
 - a) Roles and responsibilities of Customs.
 - b) GST - its impact on Canadians/how it works.
 - c) The Cross Border shopping phenomena.
3. Primary Examination Skills
4. Six Major Acts Customs Enforces:
 - a) Customs Act
 - b) Immigration Act
 - c) Excise Tax Act
 - d) Customs Tariff Act
 - e) Exise Act
 - f) Anti-Dumping Act
5. Powers of a Customs Inspector
6. Secondary Examination Skills
7. Search and Seizure
8. Drug Enforcement
9. Effective Interpersonal Skills (communication)
10. Report Preparation/Note Taking/Document Completion
11. Customs Commercial System (Harmonized System)
12. Free Trade/Customs 2000

IV. LEARNING ACTIVITIES:

HISTORY OF CUSTOMS & EXCISE IN CANADA

Upon successful completion of this unit, the student will be able to:

- Explain the differences and similarities of Customs & Excise from the first establishment of Customs in Canada to present time;
- Discuss why Customs and Immigration is required by Canada.

ROLES AND RESPONSIBILITIES OF CUSTOMS

Upon successful completion of this unit, the student will be able to:

- Explain control of international movement of goods and people;
- Discuss collection of duties and taxes;
- Distinguish the difference between prohibited and restricted items;
- Discuss protection of Canada's economy;
- Explain the internal operation of a typical Customs Port;
- Identify and discuss the key components of orientation, facilitation, and verification;
- Discuss departmental priority and explain the Voluntary Compliance Theory;
- Explain how the Goods and Services Tax works, and its effect on the importing community;

PRIMARY EXAMINATION SKILLS

Upon successful completion of this unit, the student will be able to:

- Demonstrate both lines of questioning (Resident and Non-Resident) in the PIL;
- Establish residency of persons seeking admission into Canada, determine purpose of visit, etc.
- Discuss what methods are used to obtain information;
- Discuss Selective referrals and Mandatory referrals;
- Explain Point of Finality;
- Determine admissibility of goods.

SIX MAJOR ACTS THAT CUSTOMS ENFORCES

Upon successful completion of this unit, the student will be able to:

- Thoroughly discuss all aspects of the Customs Act as it related to a Customs Inspector;
- Discuss aspects of the Immigration Act;
- Discuss admissibility of persons seeking admission into Canada;
- Discuss aspects of the Excise Tax Act;
- Discuss aspects of the Customs Tariff Act;
- Discuss aspects of the Excise Act;
- Discuss aspects of the Anti-Dumping Act;
- Discuss other Acts of Parliament.

POWERS OF A CUSTOMS INSPECTOR

Upon successful completion of this unit, the student will be able to:

- Discuss authority of right to search a person (98);
- Discuss authority of right to examine goods (99);
- Define definition of Customs Inspector as a Peace Officer under the Criminal Code;
- Explain power to take samples and detain controlled goods;
- Explain powers of arrest;
- Discuss all other related powers;

SECONDARY EXAMINATION SKILLS

Upon successful completion of this unit, the student will be able to:

- Differentiate between examination, inspection, and search;
- Explain arrest procedures;
- Demonstrate rights, cautions, secondary warning, and counseling;
- Participate in a secondary examination;
- Participate in and demonstrate arrest procedures;
- Discuss causes for a personal search;
- Discuss listening skills and the commandments of good listening;
- Participate in and demonstrate frisk procedures;
- Explain, re-emphasizing, Point of Finality.

SEARCH AND SEIZURE

Upon successful completion of this unit the student will be able to:

- Differentiate Civil Action and Criminal Action
- Discuss terms of release/penalties;
- Define prohibited and restricted goods.

DRUG ENFORCEMENT

Upon successful completion of this unit the student will be able to:

- Discuss the DO'S and DON'TS of drug handling;
- Observe concealment methods and drug detection;
- Discuss Food and Drug Act, and Narcotic Control Act.

EFFECTIVE INTERPERSONAL SKILLS

Upon successful completion of this unit the student will be able to:

- Discuss uses of non-verbal communication;
- Discuss communication barriers;
- Identify and explain steps in the communication process;
- Good listening;
- Situation diffusion.
- Discuss how to remove barriers to good communication;
- Apply effective communication techniques in deadline;
- Identify personal tolerance level;

REPORT PREPARATION, DOCUMENT COMPLETION AND NOTE TAKING

Upon successful completion of this unit the student will be able to:

- Prepare a well-written report;
- Discuss the five W's of report writing;
- Explain the importance of timeliness, and accuracy of reports and note taking;
- Discuss a properly maintained notebook;
- Explain the use of a notebook in court;
- Prepare non-commercial Customs documentation;
- Calculate duties and taxes;

REPORT PREPARATION, DOCUMENT COMPLETION AND NOTE TAKING

- Explain personal exemptions;
- Discuss allowances for returning residents, settlers and seasonal settlers;
- Explain "Forced Collection" entries;
- Discuss departmental "D" memoranda.

CUSTOMS COMMERCIAL SYSTEM

Upon successful completion of this unit the student will be able to:

- Explain the purpose of a customs broker operation and bonded warehouse;
- Discuss release documentation requirements;
- Discuss release on minimum documentation (RMD), release support system (RSS), and Customs automated data exchange (CADEX);
- Explain the basic difference between commercial and personal importations;
- Discuss bonded carrier operation.

FREE TRADE AND CUSTOMS 2000

Upon successful completion of this unit the student will be able to:

- Explain the FTA in brief;
- Discuss changes of the FTA/reduced tariffs, etc.;
- Discuss blueprint for future programs of the Customs 2000 concept;
- Explain objectives for future customs activity;
- Discuss red door/green door pilot projects.
- Cross Border Shopping

V. REQUIRED RESOURCES/TEXTS/MATERIALS:

- Handouts provided
- Notebooks

VI. EVALUATION PROCESS AND GRADING SYSTEM:

1.	Test	10%
2.	Mid Term	30%
3.	Test	10%
4.	Final	35%
5.	Class Participation	15%

		100%

NOTE:

- Students must be present (ie. in class) for participation and quiz (marks deducted for in attendance).
- There will be no make-up test unless accompanied by a doctor's certificate.
- Attendance will be taken.

The following semester grades will be assigned to students in postsecondary courses:

<u>Grade</u>	<u>Definition</u>	<u>Grade Point Equivalent</u>
A+	90 - 100%	4.00
A	80 - 89%	3.75
B	70 - 79%	3.00
C	60 - 69%	2.00
R (Repeat)	59% or below	0.00
CR (Credit)	Credit for diploma requirements has been awarded.	
S	Satisfactory achievement in field placement or non-graded subject areas.	
X	A temporary grade. This is used in limited situations with extenuating circumstances giving a student additional time to complete the requirements for a course (see <i>Policies & Procedures Manual - Deferred Grades and Make-up</i>).	
NR	Grade not reported to Registrar's office. This is used to facilitate transcript preparation when, for extenuating circumstances, it has been impossible for the faculty member to report grades.	

VII. SPECIAL NOTES:

Special Needs:

If you are a student with special needs (e.g. physical limitations, visual impairments, hearing impairments, or learning disabilities), you are encouraged to discuss required accommodations with your instructor and/or the Special Needs office. Visit Room E1204 or call Extension 493, 717, or 491 so that support services can be arranged for you.

Retention of course outlines:

It is the responsibility of the student to retain all course outlines for possible future use in acquiring advanced standing at other postsecondary institutions.

Plagiarism:

Students should refer to the definition of "academic dishonesty" in *Student Rights and Responsibilities*. Students who engage in "academic dishonesty" will receive an automatic failure for that submission and/or such other penalty, up to and including expulsion from the course, as may be decided by the professor. In order to protect students from inadvertent plagiarism, to protect the copyright of the material referenced, and to credit the author of the material, it is the policy of the department to employ a documentation format for referencing source material.

The Professor reserves the right to change the information contained in this course outline depending on the needs of the learner and the availability of resources.

Substitute course information is available in the Registrar's office.

VIII. PRIOR LEARNING ASSESSMENT:

Students who wish to apply for advanced credit in the course should consult the instructor. Credit for prior learning will be given upon successful completion of the following: