

RECOMMENDATION OF THE CUSTOMS CO-OPERATION COUNCIL
ON THE POOLING OF INFORMATION
CONCERNING CUSTOMS FRAUD
((8th JUNE 1967))

THE CUSTOMS CO-OPERATION COUNCIL,

CONSIDERING that Customs fraud is prejudicial to Members' economic and fiscal interests and to the legitimate interests of trade,

CONSIDERING that Customs fraud can be more effectively combated by the exchange of information relating thereto,

RECOMMENDS that Members, so far as may be possible under their national laws, should participate in a scheme for the pooling of information concerning the matters of Customs fraud listed in the appended Annexes,

APPROVES the following procedure for the application of the scheme :

1. Each Member accepting the present Recommendation shall notify the Secretary General accordingly and shall specify in respect of which of the Annexes appended hereto the Member agrees to participate;
2. As from the date of acceptance, Members shall communicate to the Secretary General, to the extent that such information is considered to be of particular interest from the international point of view, the information specified in the Annex or Annexes in respect of which the Recommendation has been accepted;
3. The Secretary General will institute and keep up to date a central index of information communicated to him by Members;
4. The Secretary General shall make available to each Member participating in the scheme the information contained in the index in such form and in such manner as the Member may request, it being understood that a Member shall be entitled to receive information concerning only the Annex or Annexes in respect of which the Member has agreed to participate;
5. Any information received shall be treated as confidential and shall be communicated only to the official or officials directly concerned.

REQUESTS Members who accept the present Recommendation to notify the Secretary General in respect of which Annex or Annexes it will be applied and of the date of implementation. The Secretary General will transmit this information to Members' Customs Administrations.

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ANNEX I

Persons convicted of Customs fraud

1. Notifications under this Annex shall provide information relating to persons finally convicted of Customs fraud in a Court in the territory of the Member making the notification, and should be limited, as a rule, to cases leading to imprisonment or to a penalty exceeding the equivalent of US\$1,500.
2. The information to be furnished shall, so far as possible, include the following :
 - (a) Surname of person (or name of firm)
 - (b) Christian names (or forenames)
 - (c) Maiden name (if applicable)
 - (d) Nickname or alias
 - (e) Profession or occupation or, in the case of a firm, the nature of the business carried on
 - (f) Address (latest)
 - (g) Date and place of birth
 - (h) Nationality
 - (i) Type and number of identity papers
 - (j) Physical description
 - (1) Sex
 - (2) Height
 - (3) Build
 - (4) Hair
 - (5) Eyes
 - (6) Complexion
 - (7) Distinctive marks or peculiarities
 - (k) Brief particulars of offence (including particulars of type and origin of goods involved in the offence)
 - (l) Nature and amount of penalty imposed
 - (m) Other observations
 - (n) Member furnishing the information.
3. A Member having communicated information concerning a person convicted of Customs fraud shall be entitled to require that the information be subsequently deleted from the central index and from any registers established by Members to whom the information has been communicated, and that no further use shall be made of it.

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ANNEX II

Places of concealment in means of transport

1. Notifications under this Annex shall provide information relating to places of concealment in ships, aircraft, and road or rail vehicles and other means of transport, in cases where, in the opinion of the Member making the notification, the places of concealment are new or unusual.
2. The information to be furnished shall, so far as possible, include the following :
 - (a) Means of transport
 - (b) Identifying particulars of the particular type, make or model, including the name and nationality in the case of a ship
 - (c) Location, description and approximate measurements of the hiding place including, where possible, a photograph or diagram
 - (d) Brief account of the circumstances which led to the detection of the hiding place
 - (e) Nature of goods concealed (where appropriate)
 - (f) Other observations
 - (g) Member furnishing the information.

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ANNEX III

**Methods of smuggling
(other than by concealment in means of transport)**

1. Notifications under this Annex shall provide information relating to methods of smuggling (other than by concealment in means of transport), which in the opinion of the Member making the notification are new or unusual.
2. The information to be furnished shall, so far as possible, include the following :
 - (a) Description of the method of smuggling
 - (b) If appropriate, description of the place of concealment including, where possible, a photograph or diagram
 - (c) Nature of goods concealed (where appropriate)
 - (d) General description of the person(s), firm(s) or organization(s) concerned (e.g. "shipping agent", "commercial traveller")
 - (e) Other observations
 - (f) Member furnishing the information.

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ANNEX IV

Goods particularly liable to be smuggled

1. Notifications under this Annex shall provide information concerning definite trends, and shall not include details concerning particular cases.
2. The information to be furnished shall, so far as possible, include the following :
 - (a) Full description (including commercial and tariff description) of goods and, where appropriate, identifying marks or particulars
 - (b) Name of manufacturer (if applicable)
 - (c) Country of manufacture
 - (d) Country of exportation
 - (e) Description of method(s) of smuggling used
 - (f) Other observations
 - (g) Member furnishing the information

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ANNEX V

Fraud by forgery, falsification or counterfeiting

1. Notifications under this Annex shall be designed primarily to give information about forgery, falsification or counterfeiting of documents, Customs seals, motor vehicle registration plates, etc., their use and the means of detection.
 2. The information to be furnished shall, so far as possible, include the following :
 - (a) Documents, Customs seals, registration plates, etc., involved
 - (b) Nature and description of forgery, falsification or counterfeiting
 - (c) Use to which the documents, Customs seals, registration plates, etc. were put
 - (d) Means by which the forgery, falsification or counterfeiting was detected
 - (e) Other observations
 - (f) Member furnishing the information.
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