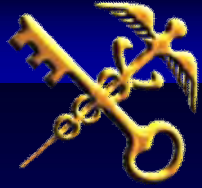


Introduction to Chinese Customs

Shanghai Customs College
Haimeng Ding





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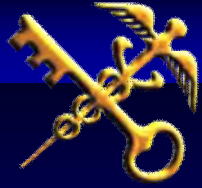
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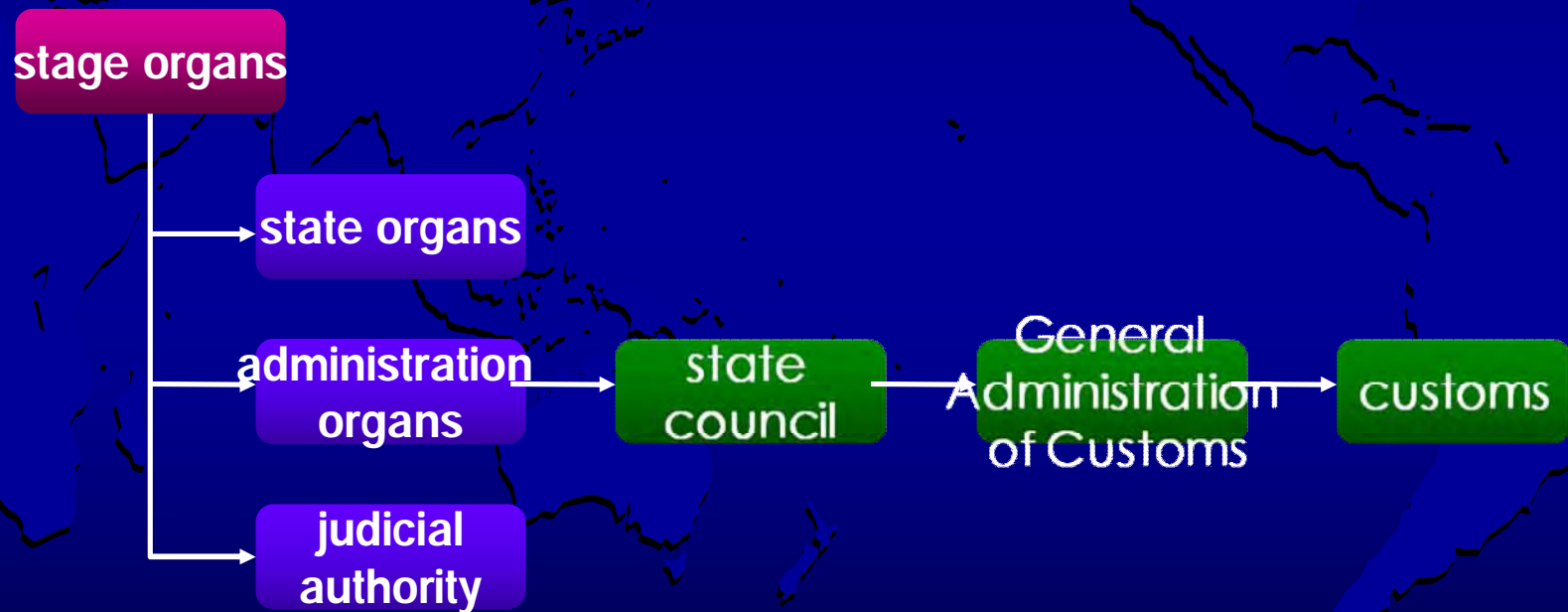
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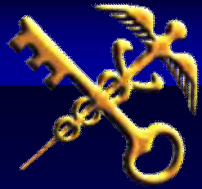
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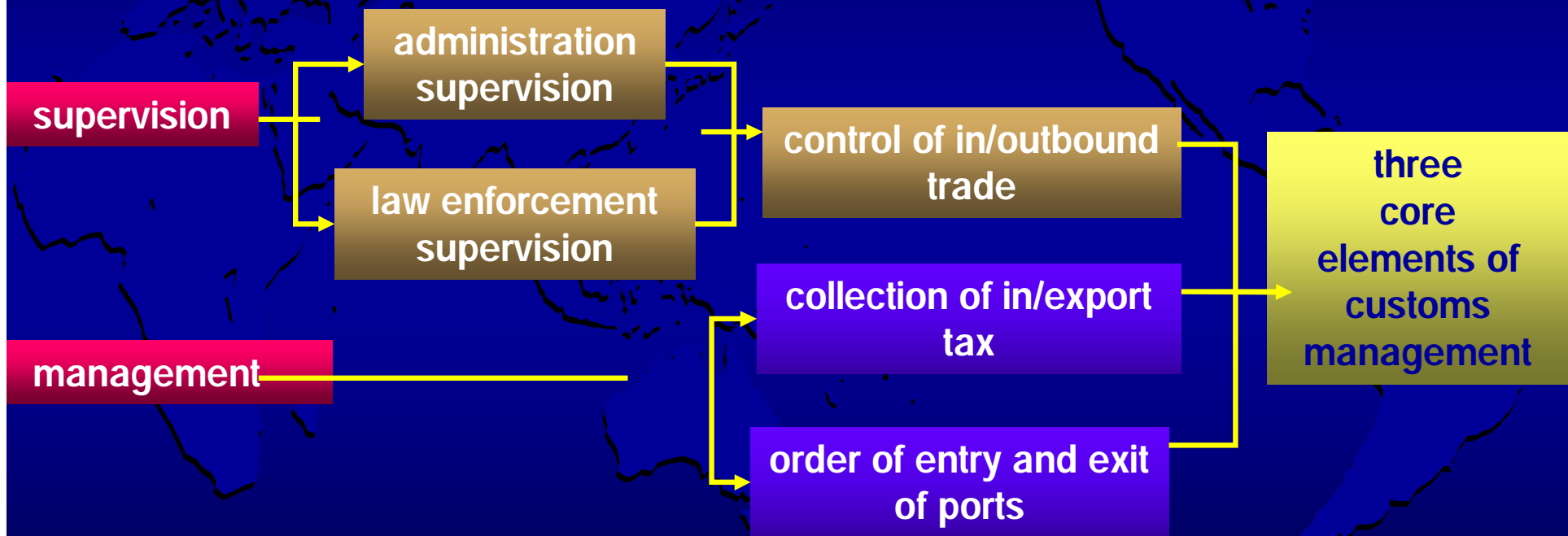
I. Nature of the customs

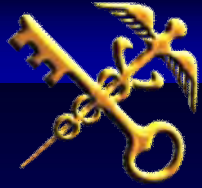
1、nature: state organs



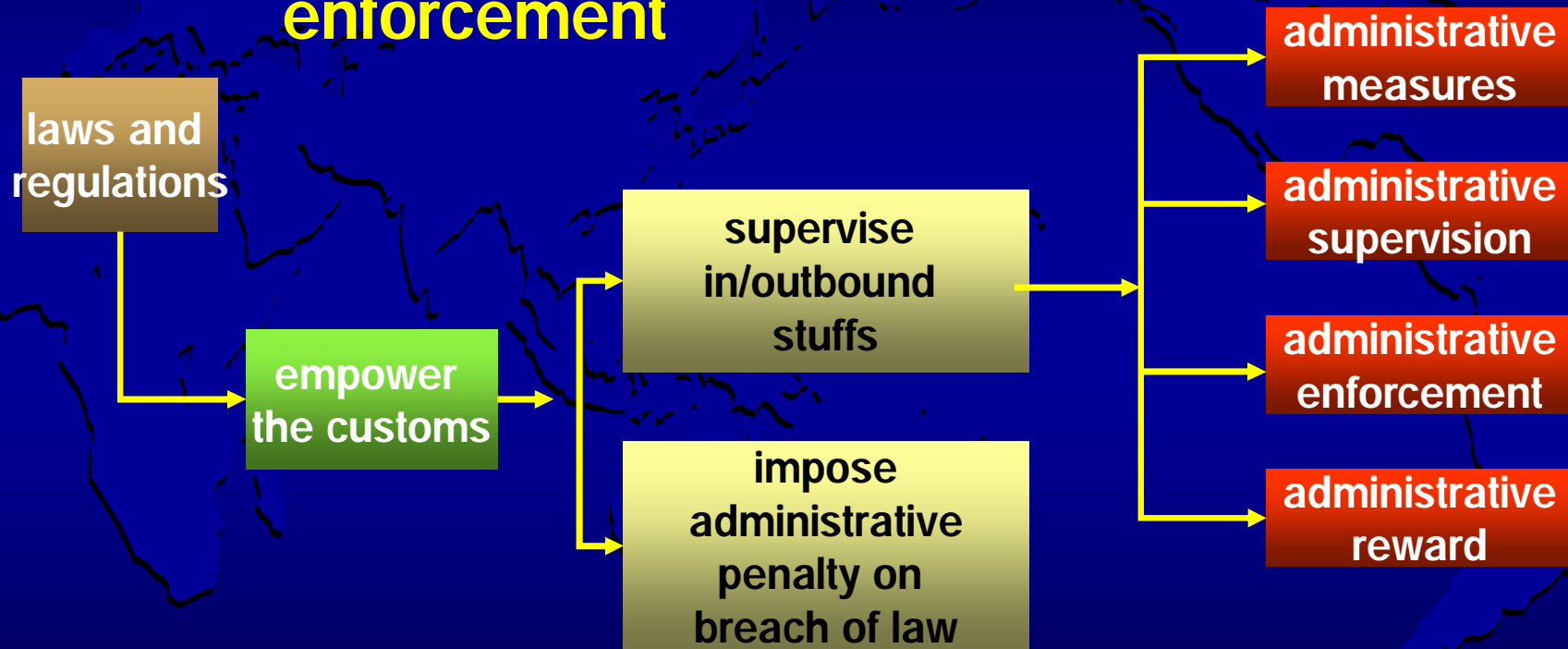


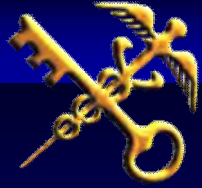
2、function—supervision & management





3、Conducts—state administration and law enforcement





II. Management system of customs

highly centralized and uniformed management:

1. customs affairs are central government affairs

All customs in China are under the management of the General Administration of Customs, a ministerial state organ under the State Council.



2. Vertical leadership

from GAC to local customs

3. independent authority and enforcement by law

All local government departments should support such authority and enforcement, instead of intervening in illegally. Local customs exert authority and enforcement independently by law and reports to GAC.



III. Principle of establishment of the customs

1. three layers: GAC, customs directly under GAC and affiliated customs
2. not limited by administrative regions, but according to operational needs
3. two kinds of places have customs: ports open to the outside world & place where there are lots of customs affairs.





IV. Structure of the customs system

3 layers :

1st : GAC ;

2nd : Guangdong Customs, 2 Offices of Special Commissioners in Tianjin and Shanghai respectively, 41 customs directly under GAC and 2 customs colleges

3rd: 580 affiliated customs under the customs directly under GAC

Besides: Offices in Brussels, Moscow, Washington and Hong Kong, etc. Staff number (anti-smuggling police included): 58,000



State council

GAC

Brussels

Washington

Moscow

Guangdong
Customs

Offices of
Special
Commissi
oners in

Tianjin

Offices of
Special
Commissi
oners in

Shanghai

41
customs
directly
under GAC

2 customs
colleges

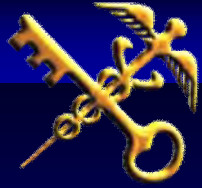
580 affiliated agencies under the
customs directly under GAC



- ◆ 41 customs directly under GAC
- ◆ 580 affiliated agencies
- ◆ about 4000 supervision points
- ◆ 5.8,000 staff

- ★ 海关总署
- 直属海关单位





GAC

GAC is the leading organ of the Chinese customs system, ministerial agency under the State Council.

It has 15 departments, manages 6 institutions, 4 social groups and 3 overseas agencies. The Department of Supervision under the Central Commission for Discipline Inspections of the CPC established the Supervision Bureau in GAC.



Rank Regime

5 grads, 13 levels:

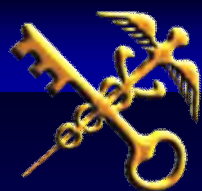
Grade 1: Customs Commissioner-General , Deputy CCG

Grade 2: Customs Commissioner (First, Second, Third Class)

Grade 3: Customs Supervisor (First, Second, Third Class)

Grade 4: Customs Superintendent (First, Second, Third Class)

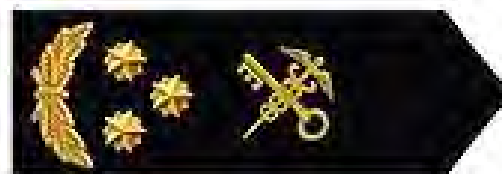
Grade 5: Customs Inspector (First Class, Second Class)



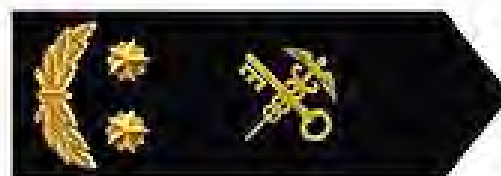
海关总监



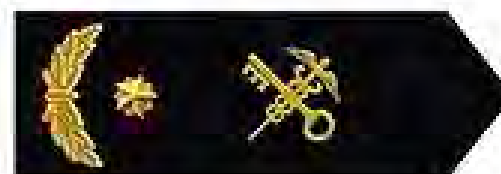
海关副总监



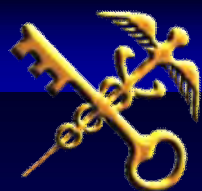
一级关务监督



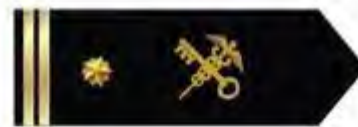
二级关务监督



三级关务监督



三级关务督察



三级关务督办



二级关务督察



二级关务督办



一级关务督察



一级关务督办



一级关务员



二级关务员

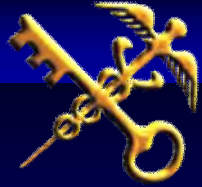


V. Responsibilities of the customs

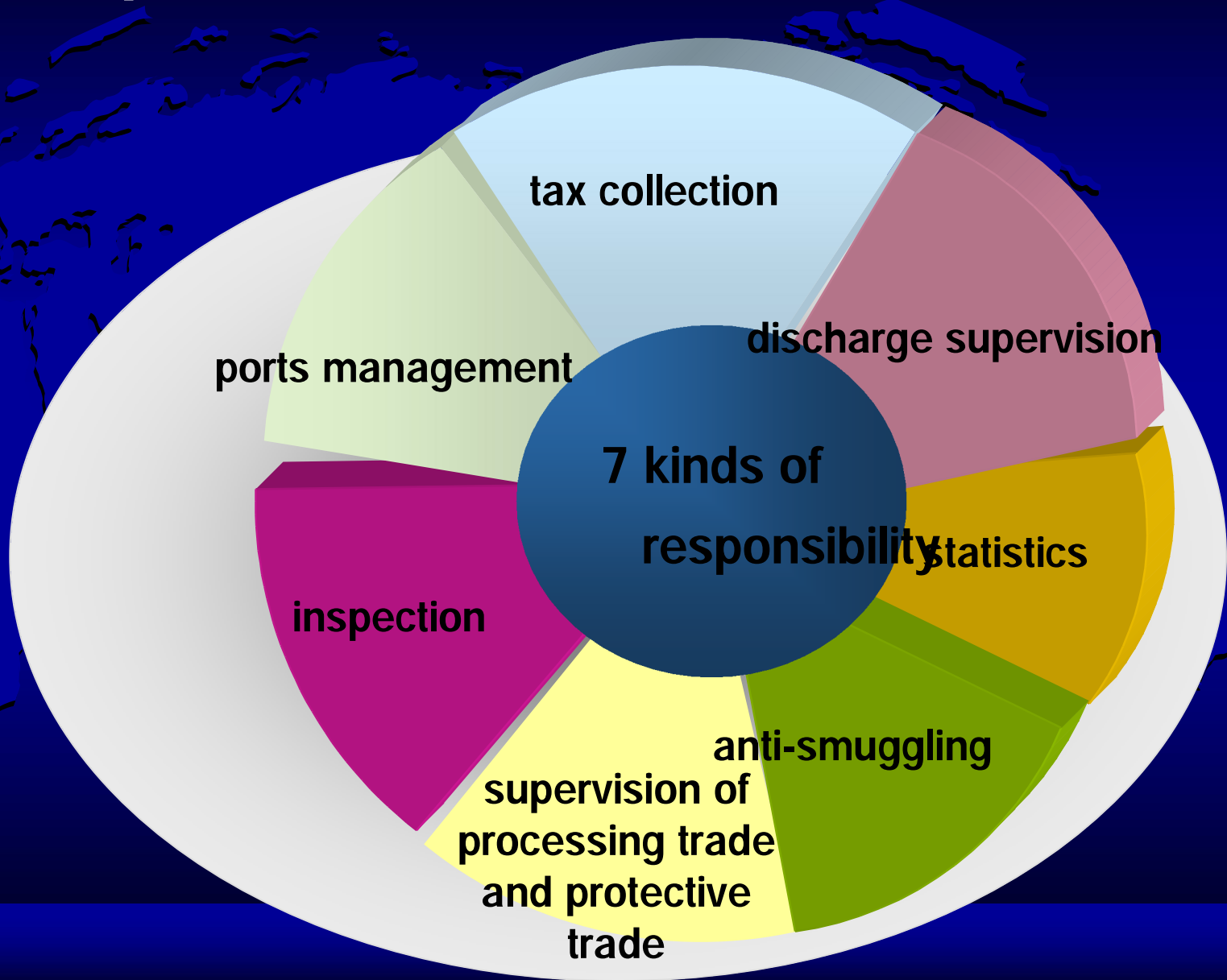
There are 7 kinds of responsibility based on the 4 basic tasks:

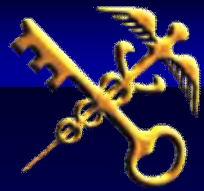
discharge supervision, tax collection, supervision of processing trade and protective trade, statistics, inspection, anti-smuggling and ports management.





Responsibilities of the customs





VI. Law basis for enforcement of the customs

(—) Law and regulations

1. Law :

Customs Law of the People's Republic of China

2. Administrative regulations :

Regulation on Import and Export Tariff

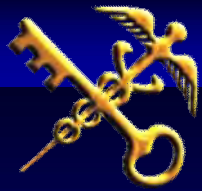
Regulation on Customs Protection of Intellectual Property Rights

Regulations on Customs Administrative Punishment

Customs Statistics Regulations

Regulations on the Origin of Import and Export goods

Regulation on Customs Inspection



3. Administrative measures

Measures on transfer and clearance of goods in processing trade and protective trade for deep processing

Measures on the management of processing trade at different place

Measures on the management of the declaration form of import and export tax rebate

Measures on Networked supervision of processing trade enterprises

Regulation on the management of declaration of import and export goods

Measures on the Supervision of Import and export express mails

Measures on the management of protective trade warehouses and goods in such warehouses

Measures on the supervision of processing trade goods

Measures on the revision and cancelation of declaration form of import and export goods

Measures on the verification of import and export goods



Measures on the management of export supervision warehouse and goods in such warehouses

Measures on the tax collection of im/export goods

Measures on the dutiable price of im/export goods

Measures on the practice of declarant

Measures on the scoreboard management of declarant

Measures on the supervision and tax collection of im/export goods of foreign-funded enterprises

Measures on the classified management of enterprises

Regulation on the classified management of im/export goods and commodities

Regulation on the standard of substantive change in the non-original production place rule

Tentative Measure on the Administrative Ruing of Customs



(II) other laws and regulations concerning entry and exit management

1. Laws

Law on foreign trade

Law on inspection of im/export commodities

**Law on quarantine of in/outbound animals and
vegetations**

Law on solid waste pollution protection

Law on territory health quarantine

Law on protection of wild animals

Law on drug management

Law on protection of cultural relics



(II) Administrative regulations

- on Im/export goods
- on technology im/export
- on wild animal protection
- on foreign exchange
- on anti-subsidy
- on anti-dumping
- on guarantee measures



Structure of law concerning customs

(I) Law on Customs

Standing Committee of National People's Congress passed; is the basic legal norms for the customs' administration of customs affairs

(II) Administrative measures

made by the State Council according to the Constitution and laws

(III) Documents by the Customs

regulation of the customs

made by GAC alone or with other departments

standard documents

issued in the form of the notice of the GAC(no administrative penalty can be set up)



VII. Power of the customs

According to the Law on Customs and other relating laws and regulations, include:

1.right to administrative approval

The customs should manage the application of the other party and empower it with the legal qualification for certain custom-related affairs by law in the form of certificate issuing.



2. right to collect taxes and charges

refers to the specific administrative behavior of the customs in impressing the property of the other party with no cost by law when managing due im/export taxes and charges of the other party the right to

3. right to administrative supervision and inspection

It's the basic right that ensures the exercising of administrative supervision and management of the customs, including, right to inspect, to verify, to interrogate, to consult and copy, to consult and to examine.



4. right to administrative enforcement

Guarantee for the implementation of laws and regulations relating customs. specific administrative enforcement on the other party by law. include right to detain, to collect overdue penalty, sample, stamp, sell goods, retain some goods for tax, fine and following-up chase.





5. Right to carry and use weapon

Customs staff can carry and use weapon in enforcement with restricted scope, object and conditions of use

6. right to administrative

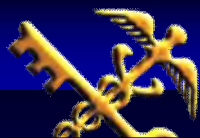
penalty

The customs has the right to administrative penalty to violator of laws by smuggling that doesn't constitute crime .



7. right to other administrative measures
administrative ruling, rewarding, reconsideration,
and protection of IPR relating to in/outbound
goods.





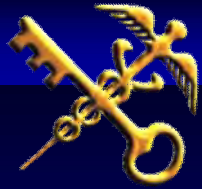
conditions for right to inspect

object	area	parameters
in/outbound transportation tools	in the "two areas"	relative department of the customs can directly exercise the right
	outside the "two areas"	
transport tools suspected of smuggling	in the "two areas"	relative department of the customs can directly exercise the right
	outside the "two areas"	relative department of the customs can exercise the right after the approval of chief customs officer of the customs directly under GAC or the CCO of affiliated customs commissioned by the CCO of the CDUGAC.
places that hide goods and articles suspected of smuggling	in the "two areas"	relative department of the customs can directly exercise the right
	outside the "two areas"	① can't inspect residence of citizens ② the related party must be on site, otherwise, witness is needed ③ department of the customs can exercise the right in investigation of smuggling after the approval of chief customs officer of the customs directly under GAC or the CCO of affiliated customs commissioned by the CCO of the CDUGAC.
Suspected smuggler	in the "two areas"	relative department of the customs can directly exercise the right
	outside the "two areas"	Cant's exercise without authorization



conditions for right to detain

object	area	condition	authorization
contracts, invoices etc	in the "two areas"	related to transportation tool, goods and materials suspected of smuggling and violates the customs law or other laws and regulations	relative department of the customs can directly exercise the right
	outside the "two areas"		
transportation tool, goods and materials suspected of smuggling	in the "two areas"	violates the customs law or other related laws or regulations	can exercise the right after the approval of chief customs officer of the customs directly under GAC or the CCO of affiliated customs commissioned by the CCO of the CDUGAC.
	outside the "two areas"	can exercise the right after the approval of chief customs officer of the customs directly under	relative department of the customs can directly exercise the right



VIII. Missions of Customs Administration

1. Customs Supervision

refers to the administrative practice of the customs that is empowered by the state to examine the validity and authenticity of the in/outbound activities and supervises its whole process through the review of forms and data, checks and supervision of objects, in accordance with the customs administration procedures.



2. Customs taxation

refers to the administrative practice of the customs of collecting tariff and other domestic taxes that are to be collected by the customs on goods that are permitted for import and export or inbound or outbound goods on behalf of the state in line with the customs law and tariff regulations



3. Anti-smuggling

refers to the inspection and penalty for detection, curbing, cracking-down, administration of smuggling at the places under the supervision of the customs or specified areas conjunctive to the sea or border near the customs for the completion of tasks such as supervision, taxation and statistics based on the right empowered by law,,



4.Preparation of customs statistics

It refers to the administrative behavior of the custom in which, the variety, amount, price, country, trade type of im/export goods are counted and analyzed by collecting, sorting, processing declaration forms and bills of actual im/export goods for full and accurate reflection of the trends of foreign trade and timely provision of trade statistics, supervision and warning information.

The above-mentioned 4 tasks are of a unified and interconnected whole.



IX. Objects of the customs operation

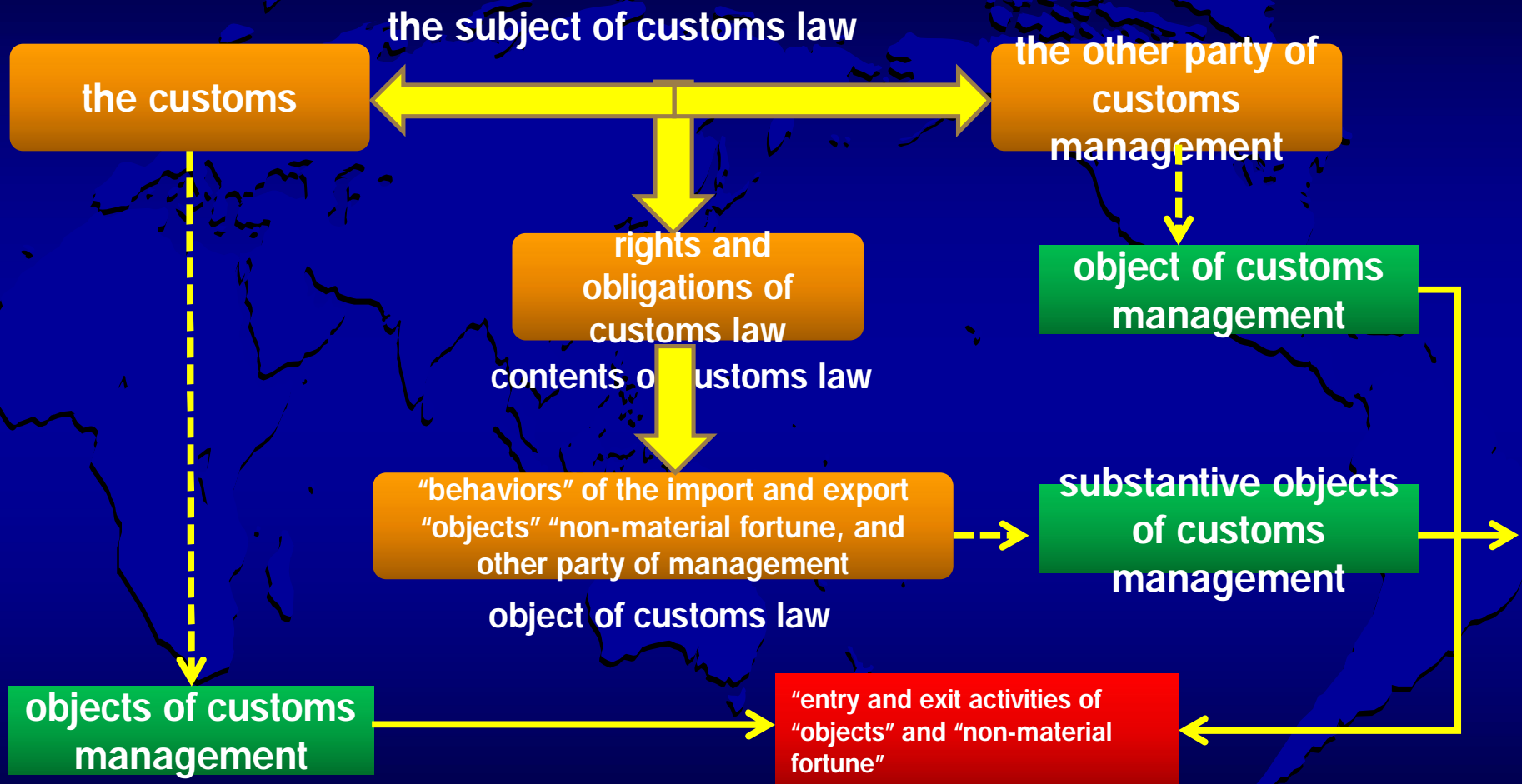
1. Meaning of object of customs operation

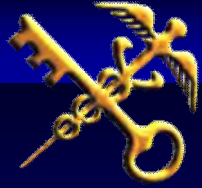
Refers to the target or the object that the exercising of administrative power of the customs point to, or the activities of means of transport, goods and articles, comprising of entry-exit "objects", the "behavior" of the other party and the other party himself.

Usually, means of transport, goods and articles are called direct or substantive objects, and person that dominates the means of transport, goods and articles indirect or job objects.



2. Basis for the formation of object of customs management

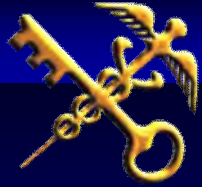




3. types of objects of customs management

(1) activities of means of transport for entry or exit

After entry, the means of transport will not change its ownership and operation status and its parking place, route, timetable of running, loading and carrying will be supervised by the customs.



main activities of means of transport
for entry or exit :

- (1) activities of in/outbound ships
- (2) activities of in/outbound trains
- (3) activities of in/outbound civil
airplanes
- (4) activities of in/outbound cars
- (5) activities of other in/outbound
transport means

If domestic transport means carry goods or
articles supervised by the customs, their activities
should also be the object of customs
management.



(2) activities of in/outbound goods

im/exports and their operation and declaration qualification; the legitimacy of transfer of ownership or tentative use or processing of im/exports; status of supervision of entry or exit of goods; authenticity of goods name, specification, quantity and price; tax of goods according the regulations and guarantee of goods are administered by the customs



im/exports can be divided into 5 types according to the customs administration rule applicable to them:

- (1) common im/exports**
- (2) bonded im/exports**
- (3) imports with temporary exemption of tax**
- (4) im/export temporarily approved for entry or exit**
- (5) goods enter or leaves in other means**



3. Activities of articles enters or leaves ports

mainly refers to non-trade articles carried by passengers or transported separately and luggage or personal mails of letters, packages and other stuff.



4.activities related to in/outbound transport means, goods, articles

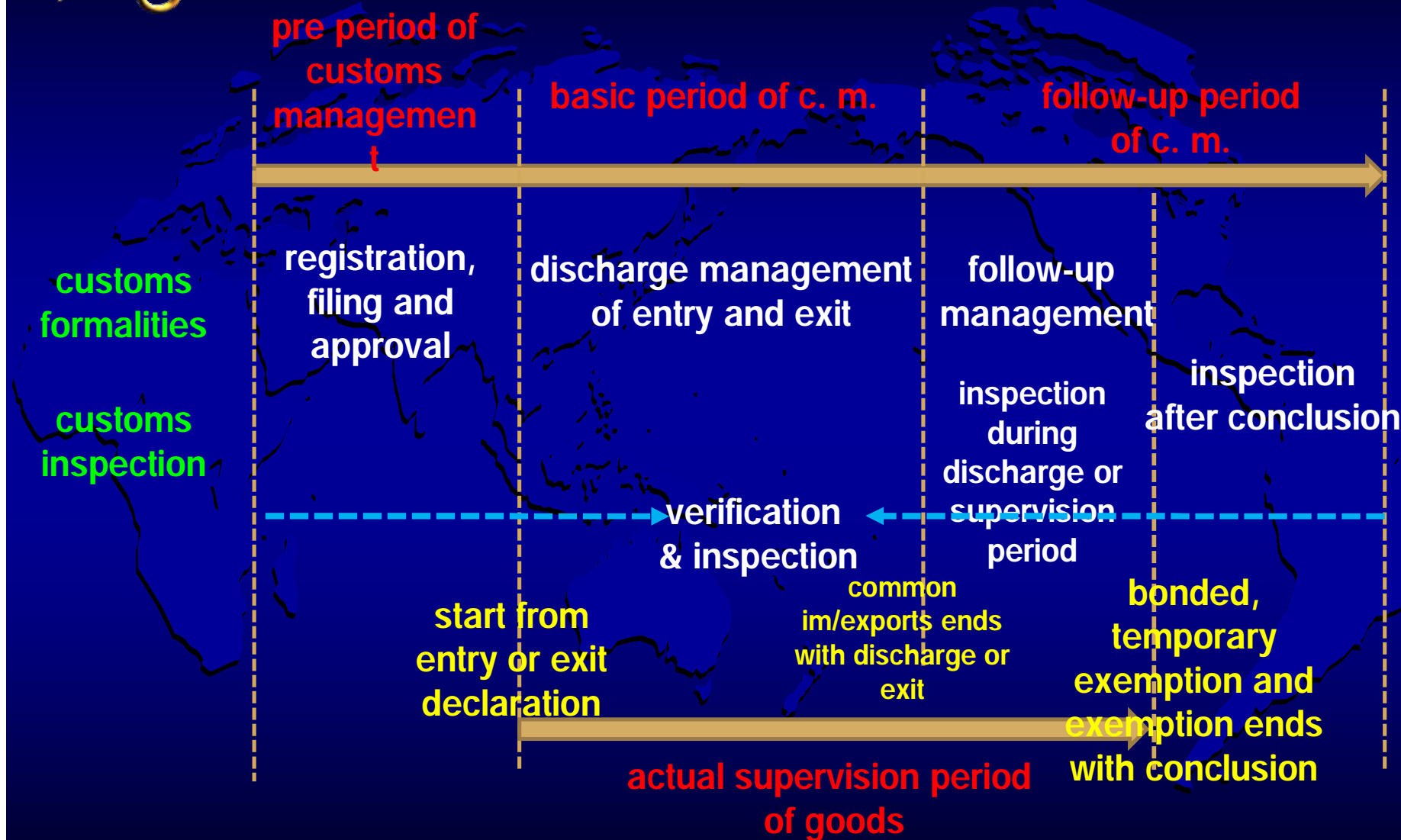
This kind of activity, though without entry and exit of “objects”, but is indirectly connected with “object” under the entry and exit management of customs. Therefore, according to the customs law and other laws and regulations related to entry and exit management, the customs still have the right to manage this kind of activity.

This kind of activity mainly include:

- (1) transport, storage and processing of goods supervised by the customs by domestic enterprises
- (2) management of “objects” of entry and exit by other state administrative organs for entry and exit management



X. Time of customs management





XI. Space of customs management

basic
space

ports open to the
outside world

1. customs at the destination
of imports or departure place
of exports

areas
supervised
by customs

extended
space

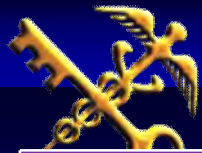
(space where
customs
management
happens)

2. enterprises engage in
import and export

3. areas near customs

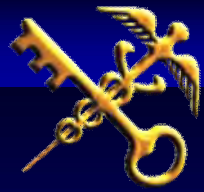
4. outside of areas
supervised by or near
customs

space of
customs
management



XII. Means of customs management

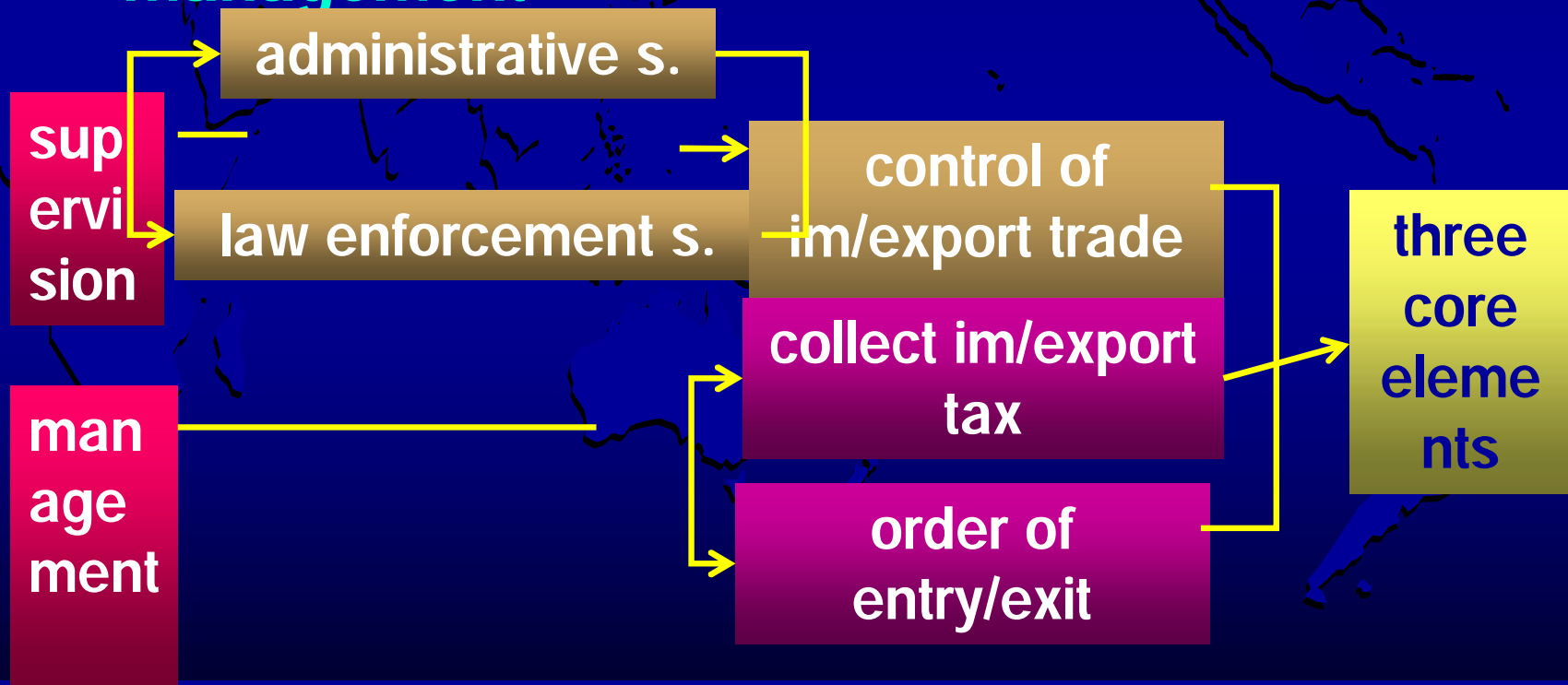
	meaning	contents	target	function
Administrative means	those used by customs to make the conducts of "people" are in line with laws and regulations	registration, filing, approval, verification, cancellation, inspection	to keep people's conduct legal and the flow of objects in order	Restriction
Economic m.	those used by customs to induce the conducts of "people" are in line with laws and regulations	charge overdue fees and (risk) deposits	to induce self discipline by connect economic interests with conducts	Induction
Legal m.	those to correct any violation	confiscation, fine, revocation of qualification, detaining, sealing	to use the power of state to correct illegal conducts	Correction
Info. m.	Those for induction of legal conducts	publicize related laws and regulations, workflow of customs, feedback of implementation of policies and regulations	to induce self adjustment of people for legal formalities by providing info. and feedback,	guidance



XIII. Role of customs management

1. core element

—entry and exit supervision and management





2.contents of function

The roles of customs management refers to role that should be played by the customs as a national authority of entry/exit supervision and management. Mainly:

(1) basic roles

- economic adjustment and financial support
- IPR protection at customs
- trade supervision and safety and environment protection
- keeping entry/exit order

(2) derivative roles

- prevention and cracking-down smuggling
- trade counting and supervision and warning of entry/exit status



3.Means to the play of roles of customs

(1) traditional means :

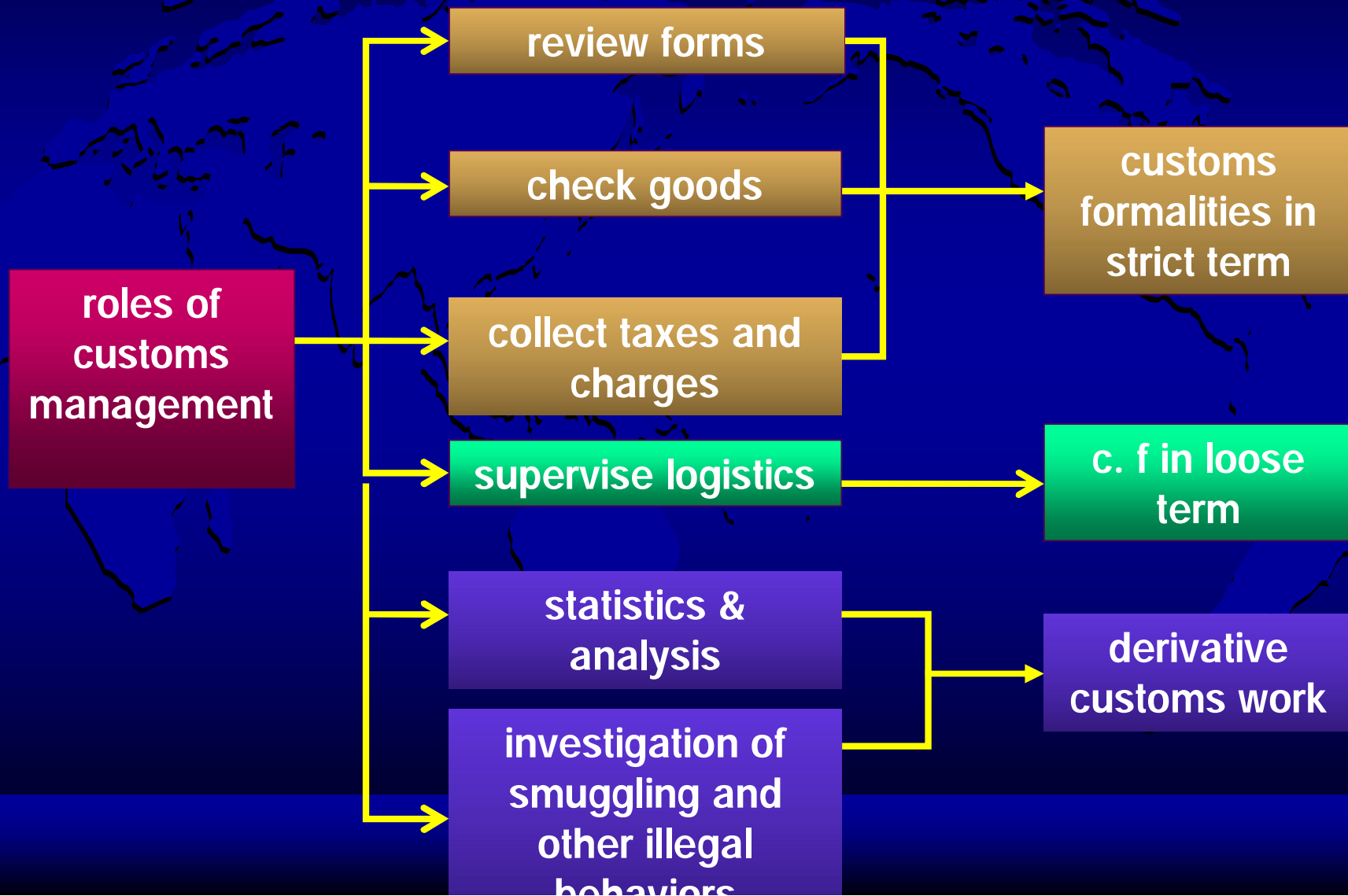
discharge supervision, bonded supervision, statistics, inspection, anti-smuggling, collection of taxes and charges and trade restriction

(2) non-traditional means :

port management, logistics safety, IPR protection, im/export enterprises management, special customs-supervised-zone management

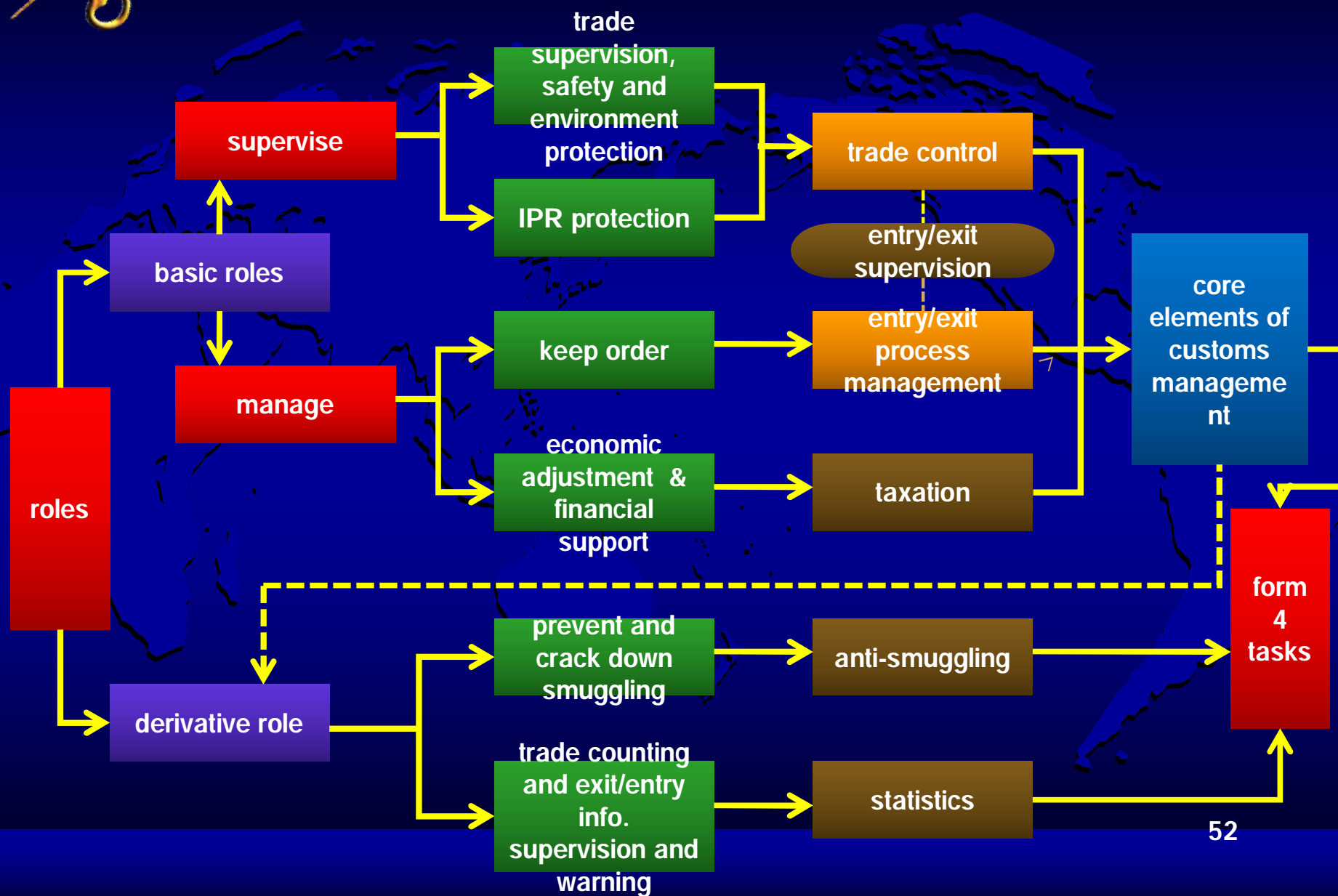


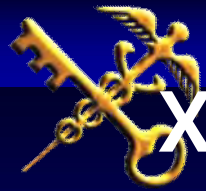
4. How to realize these roles (in entry/exit)





relation between roles and tasks





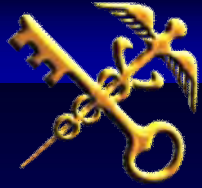
XIV. Elements of customs management

1.im/export trade behavior & elements of enterprises

(1) behaviors include all the work in im/export, such as filing, report, discharge, domestic selling or temporary approval of import , conclusion and cancellation

(2) elements include trade type, price, commodity name and specification, quantity, production place, trade restriction, means of collection or exemption, tax rate and statistics.

customs administration refers to the two above aspects.



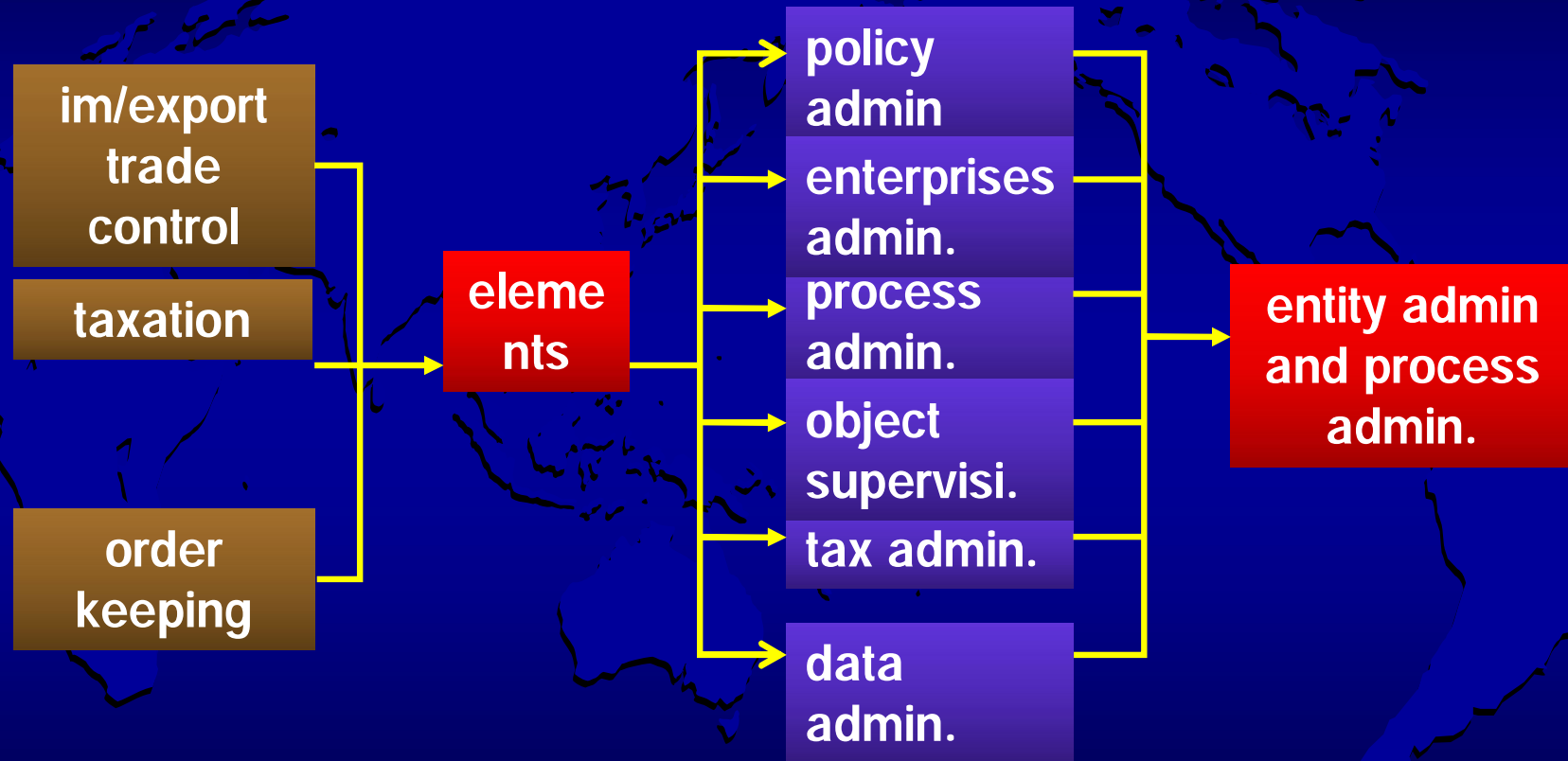
2. elements and means of customs administration

administration elements has many dimensions: policy, taxation, process, object supervision, data, enterprises, etc. can be summarize into two aspects: entity admin. and process admin.

administration of behavior belongs to process admin; admin. of elements belongs to entity admin. Process and entity are interdependent, the way to distinguish is to analyze whether the admin. object belongs to behavior or elements.

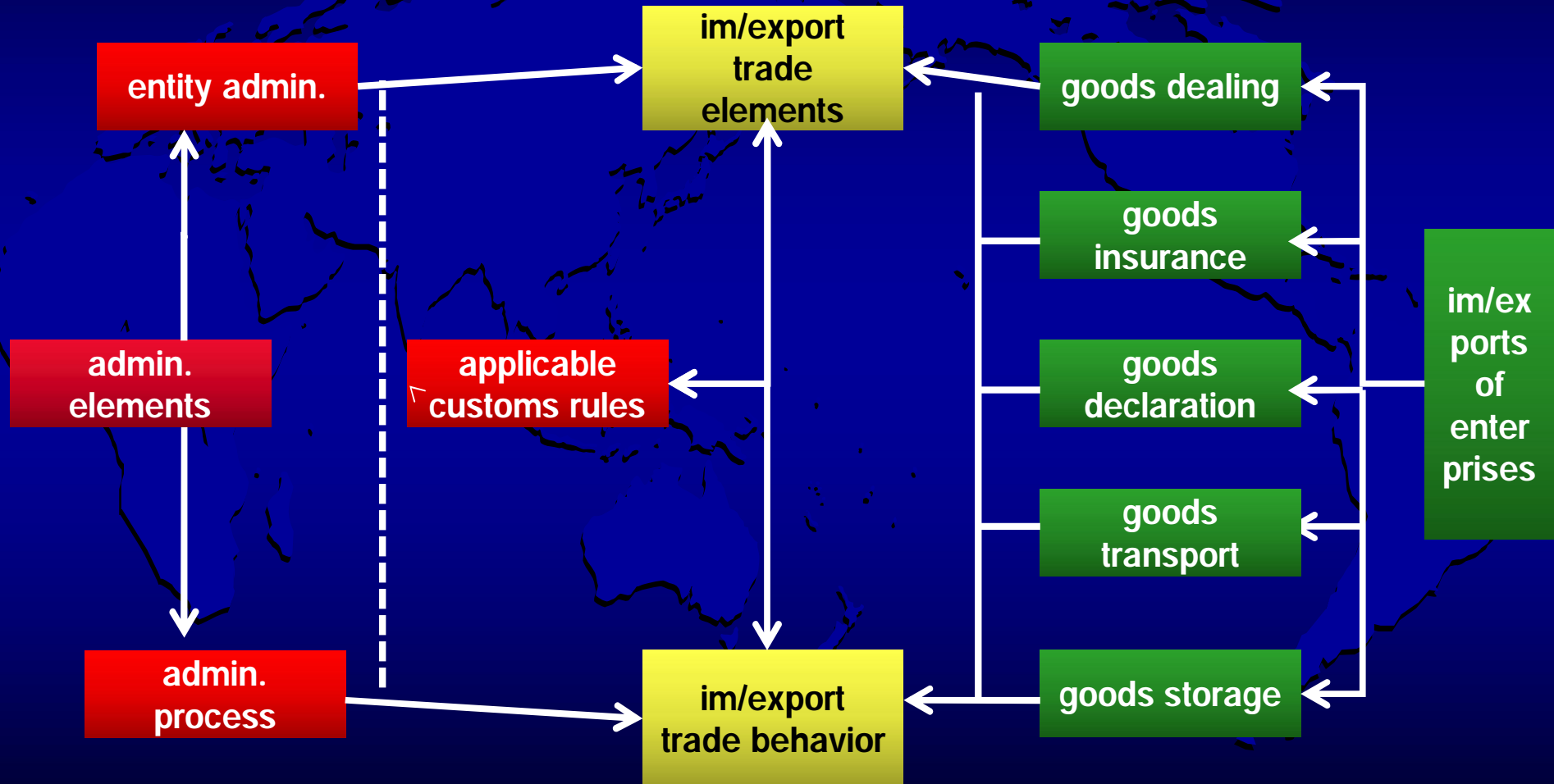


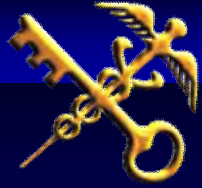
admin. elements and means





relation of im/exports and admin. elements





XV. Model of customs management

**risk management based on the obedience of law of
enterprises, classified discharge**



XVI. Anti-smuggling of the customs





(I) concepts and frequently used laws

Smuggling is the product of law.

——On Crime of Smuggling and Penalty, Becania, Italy

definitions

ancient China :

WCO:

secretly carry goods through ports, deceiving the customs

——Nairobi Convention

Note: International Convention on Mutual Administrative Assistance for the Prevention, Investigation and Repression of Customs Offences (Nairobi Convention)

Customs Co-operation Council (now WCO) 1977 Nairobi, Kenya



(I) concepts and frequently used laws

Laws and Regulations

- Law on Customs of PRC
- Criminal Law of PRC
- China's Administrative Punishment Law
-





(I) concepts and frequently used laws

The Law on Custom specify the definition

第八十二条 违反本法及有关法律、行政法规，逃避海关监管，偷逃应纳税款、逃避国家有关进出境的禁止性或者限制性管理，有下列情形之一的，是走私行为：✚

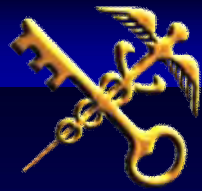
（一）运输、携带、邮寄国家禁止或者限制进出境货物、物品或者依法应当缴纳税款的货物、物品进出境的；✚

（二）未经海关许可并且未缴纳应纳税款、交验有关许可证件，擅自将保税货物、特定减免税货物以及其他海关监管货物、物品、进境的境外运输工具，在境内销售的；✚

（三）有逃避海关监管，构成走私的其他行为的。✚

有前款所列行为之一，尚不构成犯罪的，由海关没收走私货物、物品及违法所得，可以并处罚款；专门或者多次用于掩护走私的货物、物品，专门或者多次用于走私的运输工具，予以没收；藏匿走私货物、物品的特制设备，责令拆毁或者没收。✚

有第一款所列行为之一，构成犯罪的，依法追究刑事责任。✚



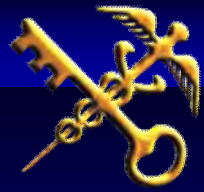
(I) concepts and frequently used laws

- Article 83 of the Law specifies behaviors that resembles smuggling and their responsibility

第八十三条 有下列行为之一的，按走私行为论处，依照本法第八十二条的规定处罚：

- （一）直接向走私人非法收购走私进口的货物、物品的；
- （二）在内海、领海、界河、界湖，船舶及所载人员运输、收购、贩卖国家禁止或者限制进出境的货物、物品，或者运输、收购、贩卖依法应当缴纳税款的货物，没有合法证明的。

- not of smuggling, but closely related, provide channel of selling or distribution of smuggled goods and articles.



(I) concepts and frequently used laws

- Criminal Law Article 151-157 (crime of smuggling) Article 347 (crime of smuggling of drugs)

第二节 走私罪（第一百五十一条至第一百五十七条）

第一百五十一条 走私武器、弹药、核材料或者伪造的货币的，处七年以上有期徒刑，并处罚金或者没收财产；情节较轻的，处三年以上七年以下有期徒刑，并处罚金。

走私国家禁止出口的文物、黄金、白银和其他贵重金属或者国家禁止进出口的珍贵动物及其制品的，处五年以上有期徒刑，并处罚金；情节较轻的，处五年以下有期徒刑，并处罚金。

走私珍稀植物及其制品等国家禁止进出口的其他货物、物品的，处五年以下有期徒刑或者拘役，并处或者单处罚金；情节严重的，处五年以上有期徒刑，并处罚金。

犯第一款、第二款罪，情节特别严重的，处无期徒刑或者死刑，并处没收财产。

单位犯本条规定之罪的，对单位判处罚金，并对其直接负责的主管人员和其他直接责任人员，依照本条各款的规定处罚。

第一百五十二条 以牟利或者传播为目的，走私淫秽的影片、录像带、录音带、图片、书刊或者其他淫秽物品的，处三年以上十年以下有期徒刑，并处罚金；情节严重的，处十年以上有期徒刑或者无期徒刑，并处罚金或者没收财产；情节较轻的，处三年以下有期徒刑、拘役或者管制，并处罚金。

单位犯前款罪的，对单位判处罚金，并对其直接负责的主管人员和其他直接责任人员，依照前款的规定处罚。

第一百五十三条 走私本法第一百五十一条、第一百五十二条、第三百四十七条规定以外的货物、物品的，根据情节轻重，分别依照下列规定处罚：

（一）走私货物、物品偷逃应缴税额在五十万元以上的，处十年以上有期徒刑或者无期



crimes of smuggling and penalty in Criminal Law of PRC

Crime name	Critical point	ceiling	Bottom-line
smuggling of common goods	50k tax (individual)	Life sentence	imprisonment of 6 month to 3 yrs- or detention
	250k tax (organization)	imprisonment:10 yrs+	
of weapon and ammunition	amount unspecified	Death penalty	imprisonment 3 yrs+ and 7 yrs-
Of fake money	amount unspecified	Death penalty	imprisonment 3 yrs+ and 7 yrs-
of cultural relics	amount unspecified	Death penalty	imprisonment 5 yrs- (6 months+)
Of rare animals and their products	amount unspecified	Death penalty	imprisonment 5 yrs- (6 months+)
		fixed-term sentence (maximum: 5yrs+)	
of pornographic articles	amount unspecified	Life sentence	imprisonment 3yrs-(6 month+), retention or control
Of drug	criminal penalty disregard of amount	Death penalty	imprisonment 3yrs-(6 month+), retention or control
Of drug-making articles	criminal penalty disregard of amount	Death penalty	imprisonment 3yrs-(6 month+), retention or control
Of wastes	amount unspecified	imprisonment of 5 yrs+	imprisonment 5 yrs- (6 months+)
Of nuclear materials	amount unspecified	imprisonment of 7 yrs+	imprisonment 3 yrs+ and 7 yrs-
Of precious metals	amount unspecified	imprisonment 5 yrs+	imprisonment 5 yrs- (6 months+)
of rare vegetation and its products or other forbidden goods and articles	amount unspecified	imprisonment 5 yrs+	term imprisonment 5yrs-(6 month+) or retention



(I) concepts and frequently used laws

- punishment of behavior violating customs supervision and control: article 85, 86 of the Law of Customs

第八十五条 个人携带、邮寄超过合理数量的自用物品进出境，未依法向海关申报的，责令补缴关税，可以处以罚款。

第八十六条 违反本法规定有下列行为之一的，可以处以罚款，有违法所得的，没收违法所得：

- (一) 运输工具不经设立海关的地点进出境的；
- (二) 不将进出境运输工具到达的时间、停留的地点或者更换的地点通知海关的；
- (三) 进出口货物、物品或者过境、转运、通运货物向海关申报不实的；
- (四) 不按照规定接受海关对进出境运输工具、货物、物品进行检查、查验的；
- (五) 进出境运输工具未经海关同意，擅自装卸进出境货物、物品或者上下进出境旅客的；
- (六) 在设立海关的地点停留的进出境运输工具未经海关同意，擅自驶离的；
- (七) 进出境运输工具从一个设立海关的地点驶往另一个设立海关的地点，尚未办结海关手续又未经海关批准，中途擅自改驶境外或者境内未设立海关的地点的；
- (八) 进出境运输工具，未经海关同意，擅自兼营或者改营境内运输的；
- (九) 由于不可抗力的原因，进出境船舶和航空器被迫在未设立海关的地点停泊、降落



(II) organizations and work mechanism of anti-smuggling

- organizations' name

customs
(include
anti-smuggling
police

local
public
security
bureau

armed police
at borders

industry and
commerce
admin.
bureau

tax
bureau

tobacco
bureau

- mechanism :

joint anti-smuggling, uniformed treatment
and integrated governance



(II) organizations and work mechanism of anti-smuggling

division of jurisdiction

- Customs (anti-smuggling police): investigation and punishment of tax-related smuggling within the ports and border, and supervise no-tax-related smuggling.
- Local PSB: investigation and punishment of non-tax-related smuggling out of the supervision area of customs.
- border armed police, ICAB, tax bureau and tobacco bureau: inspection and transfer confirmed cases, no right to punish



(II) organizations and work mechanism of anti-smuggling

- administrative enforcement rights empowered by the Customs Law
 - inspect
 - examine
 - interrogate
 - detain
 - check account books
 - chase the escaped
 - use weapons

第六条 海关可以行使下列权力：

（一）检查进出境运输工具，查验进出境货物、物品；对违反本法或者其他有关法律、行政法规的，可以扣留。

（二）查阅进出境人员的证件；查问违反本法或者其他有关法律、行政法规的嫌疑人，调查其违法行为。

（三）查阅、复制与进出境运输工具、货物、物品有关的合同、发票、帐册、单据、记录、文件、业务函电、录音录像制品和其他资料；对其中与违反本法或者其他有关法律、行政法规的进出境运输工具、货物、物品有牵连的，可以扣留。

（四）在海关监管区和海关附近沿海沿边规定地区，检查有走私嫌疑的运输工具和藏匿走私货物、物品嫌疑的场所，检查走私嫌疑人的身体；对有走私嫌疑的运输工具、货物、物品和走私犯罪嫌疑人，经直属海关关长或者其授权的隶属海关关长批准，可以扣留；对走私犯罪嫌疑人，扣留时间不超过二十四小时，在特殊情况下可以延长至四十八小时。

在海关监管区和海关附近沿海沿边规定地区以外，海关在调查走私案件时，对有走私嫌疑的运输工具和除公民住处以外的有藏匿走私货物、物品嫌疑的场所，经直属海关关长或者其授权的隶属海关关长批准，可以进行检查，有关当事人应当到场；当事人未到场的，在有见证人在场的情况下，可以径行检查；对其中有证据证明有走私嫌疑的运输工具、货物、物品，可以扣留。

海关附近沿海沿边规定地区的范围，由海关总署和国务院公安部门会同有关省级人民政



(II) organizations and work mechanism of anti-smuggling



Customs Anti-smuggling Police

- The National Meeting on Anti-smuggling in July 1998 decided to establish this police. In Jan. 5, 1999, the Bureau of Investigation of Smuggling of GAC was established. In Jan. 2003, approved by the State Council, renamed as Anti-smuggling Bureau of GAC.
- Lead by both Ministry of Public Security and GAC, mainly by GAC.
- Empowered GAC with both criminal and administrative enforcement rights against smuggling.



(II) organizations and work mechanism of anti-smuggling

- Article 4 of the Customs Law specifies the nature, responsibility and procedure of enforcement of customs anti-smuggling police.

第四条 国家在海关总署设立专门侦查走私犯罪的公安机构，配备专职缉私警察，负责对其管辖的走私犯罪案件的侦查、拘留、执行逮捕、预审。

海关侦查走私犯罪公安机构履行侦查、拘留、执行逮捕、预审职责，应当按照《中华人民共和国刑事诉讼法》的规定办理。

海关侦查走私犯罪公安机构根据国家有关规定，可以设立分支机构。各分支机构办理其管辖的走私犯罪案件，应当依法向有管辖权的人民检察院移送起诉。

地方各级公安机关应当配合海关侦查走私犯罪公安机构依法履行职责。



(II) organizations and work mechanism of anti-smuggling

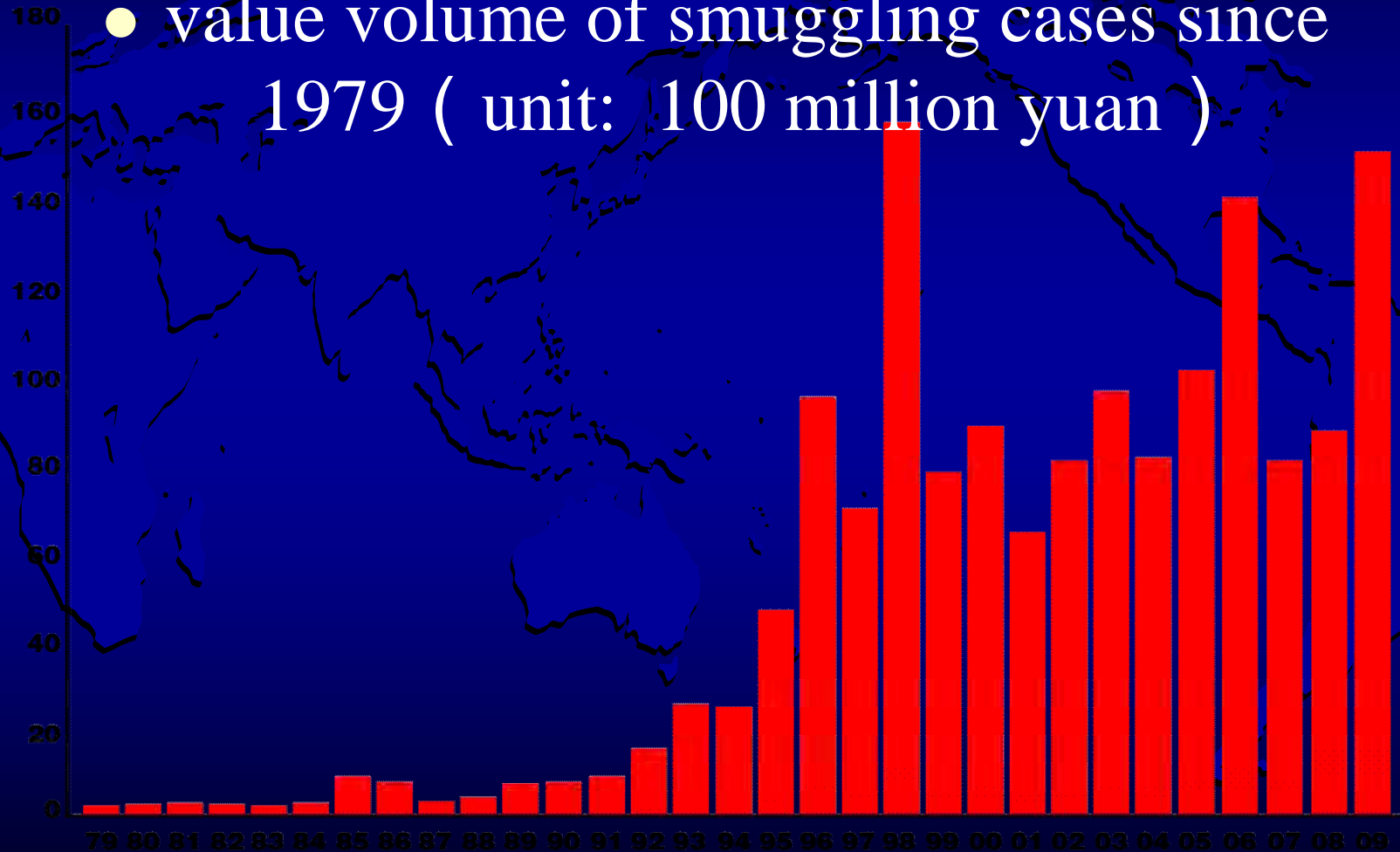
- distribution of the Anti-smuggling Bureau of GAC, of Guangdong Customs and 41 customs directly under GAC.





(III) Current situation of smuggling

- value volume of smuggling cases since 1979 (unit: 100 million yuan)





(III) Current situation of smuggling





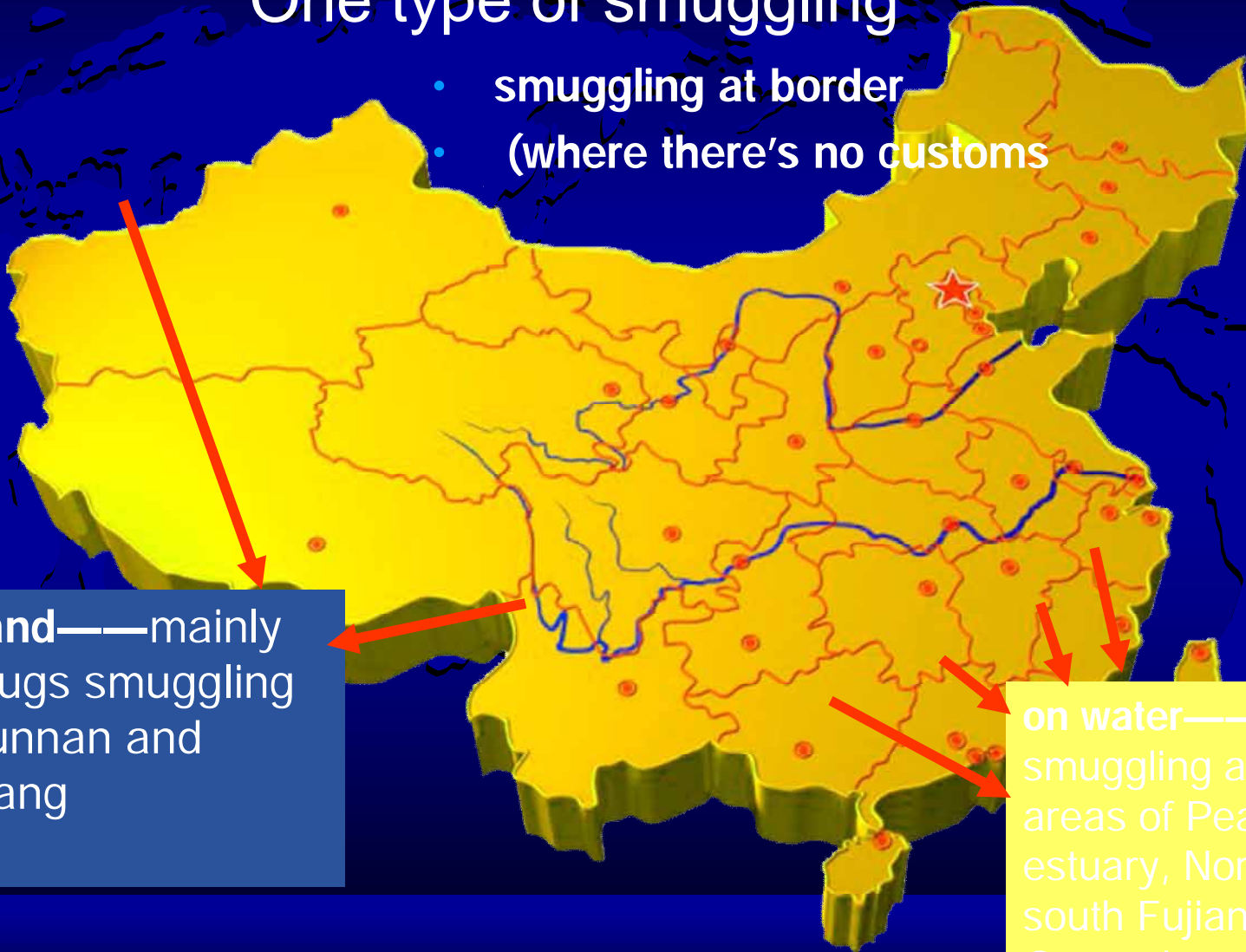
(III) Current situation of smuggling

One type of smuggling

- smuggling at border
- (where there's no customs)

on land——mainly
of drugs smuggling
in Yunnan and
Xinjiang

on water——
smuggling at key
areas of Pearl River
estuary, North Bay,
south Fujian, east
Guangdong

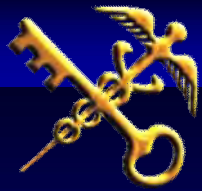




(III) Current situation of smuggling

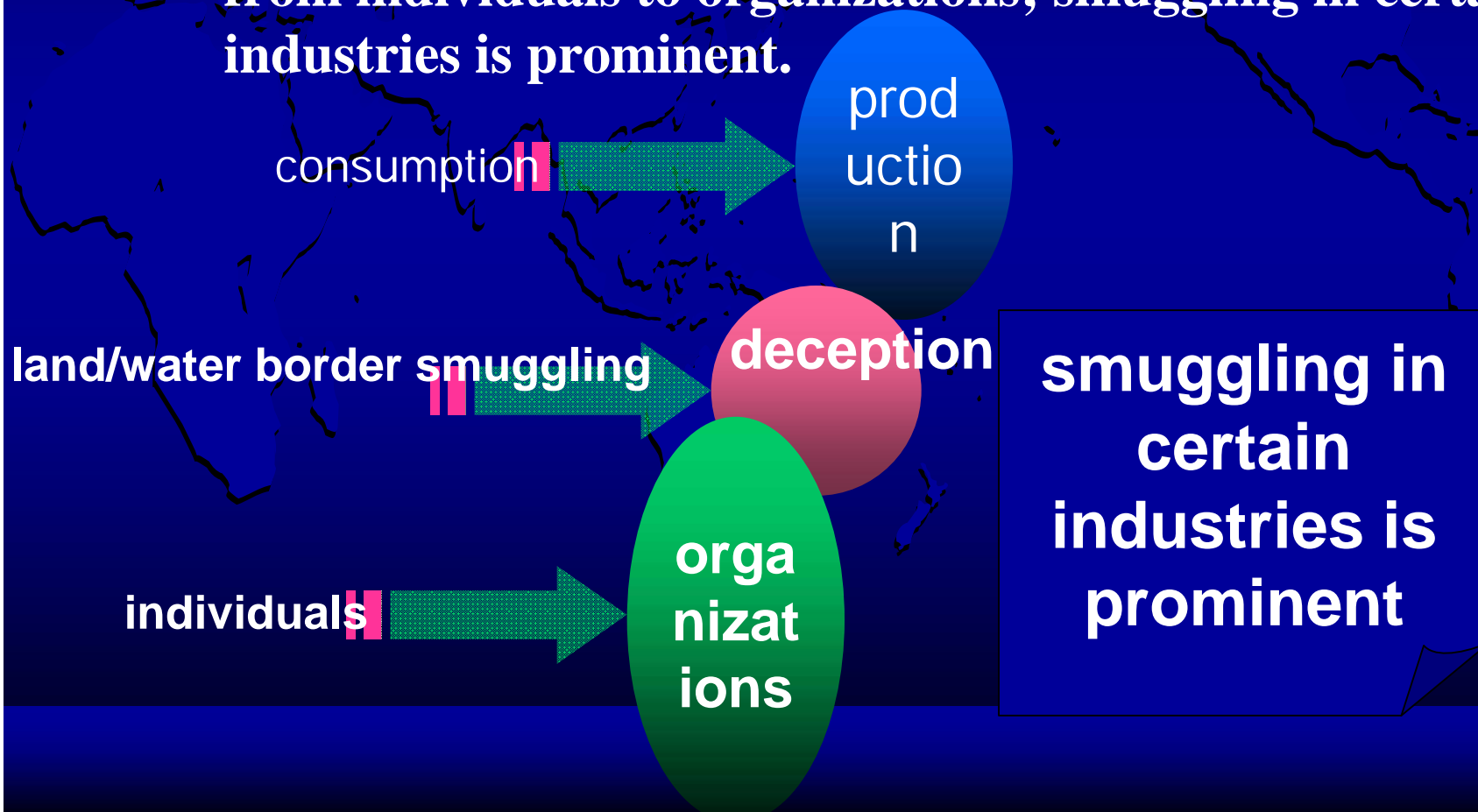
Another type of smuggling-----smuggling at custom entry or exit

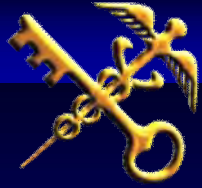
- smuggling at ports(international airports, ports and stations): deception at entry/exit; through passengers: forbidden/restricted objects smuggling
- through mails (express): escape tariff and approval by break whole lot into bits.
- follow-up smuggling: unauthorized transfer of bonded goods or processing trade goods, selling domestically, or selling of tax-reduced/exempted goods.



(III) Current situation of smuggling

- trend: from daily consumption to production; from land/water border smuggling to deception at ports; from individuals to organizations; smuggling in certain industries is prominent.

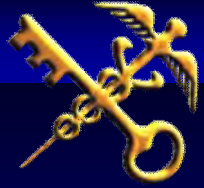




(IV) Anti-smuggling Strategy

Crack and Prevention at same time;

Coordinated Control with key points and perseverance.



Thanks !