Customs Legal Service of DH Law Group

DH Law Group has established its Customs Affairs Legal Service Center on July 10, 2015, whose major members have worked in different Customs over China, or engaged in the relative legal services in international trade for years. The Center is dedicated to the most outstanding customs legal service team in China, therefore supplying comprehensive legal services and customs affairs services to import and export enterprises.

Professional  Expertise  Attentive  Dedicated

DH Law Group

201509
Major Services

1. **Routine Clearance Consultation**
   - Consultation on enterprise registration and filing;
   - Clearance process design;
   - Consultation and interpretation of import & export trade policies and regulations;
   - Consultation on goods import & export supervision;
   - Consultation on goods classification, price verification and origins;
     Consultation on policies and procedures for importing goods with deducted duties;
   - Consultation on policies and procedures for processing trade supervision;
   - Import & export trade data inquiry;
   - Consultation on entry-exit inspection and quarantine, export tax rebate and foreign currency write-off;
   - Inquiry on policies, laws and regulations of trading partners’ countries;
   - Clearance knowledge training.

2. **Customs Affairs Compliance Examination and Risk Control for Enterprises**
   - Examination and evaluation on reasonability and scientificity of clearance process;
   - Examination on compliance of daily clearance business;
   - Special compliance examinations on processing trade, price declaration and commodity classification;
   - Guidance on reactions to customs auditing.
3. **Tariff Disputes Settlement**

- Commodity classification disputes settlement;
- Customs price verification disputes settlement, such as relevant issues of royalties;
- Origin disputes settlement.

4. **IPR Customs Protection**

- Recordation and Change of Registration of Intellectual property rights;
- Being a liaison person of the intellectual property right holders with the customs;
- Cooperate with professional investigating companies to follow and investigate the logistics information of the goods suspicious of intellectual property right infringement, and represent the right holders to report the import and export information of the above-mentioned goods to the customs;
- Represent our clients to visit local customs, attend various training organized by the customs and introduce the clients’ products and the intellectual properties to the customs;
- Represent our clients to go through formalities of detaining the goods suspicious of infringement, and provide legal services during the process of customs investigation regarding whether or not the goods constituent infringement;
- Assist the right holders to make a dispute settlement with the suspicious infringers;
- Represent our clients in civil infringement lawsuits;
- Represent our clients in a criminal case with a civil action.

5. **Guidance on Enterprise Credit Certification**

- Make pre-evaluation of enterprises from such aspects as internal control, financial status, compliance management, trade safety, etc, and put forward improvement plans
in accordance with the customs’ certification standards for the enterprises with high-level credit;

- Assist the enterprises to make an application to relevant customs for high-level credit certificate.

6. **Consultation on Policies of Specially Controlled Areas**

- Disputes settlement for the establishment, the change and the write-off of H account book;
- Consultation and disputes settlement for relevant issues relating to customs network supervision system;
- Providing services for the establishment of bonded warehouses, export supervised warehouses and bonded logistics centers (A\B);
- Legal consultation on establishment of bonded area, export processing area bonded logistics area, comprehensive bonded area and bonded port area;
- Consultation and project guidance on policies regarding free trade zones;
- Single customs affair consultation, e.g. providing professional advice and special guidance concerning H account book write-off

7. **Represent the Clients in Administrative and Criminal Cases**

- Make a defense in smuggling crimes;
- Settle disputes for customs administrative penalties;
- Represent our clients in administrative reconsideration;
- Represent our clients in administrative proceedings;

8. **Represent the Clients in International Trade Disputes**

- Represent our clients for arbitrations and lawsuits in international trade disputes;
- International trade business negotiation;
• Draft, review and amend international trade contracts and legal documents;
• Anti-dumping & Anti-subsidy investigation;

Team Members

Shi Donghai  Partner Lawyer
Qualification: got Legal Professional Qualification Certificate in 2011
Education: Bachelor of Arts, People's Public Security University of China
Work Experiences:
1999 – 2014  Qingdao Customs
2014 – present  DH Law Group Beijing DHH (Qingdao) Law Firm

Mr. Shi Donghai has worked in Anti-smuggling Bureau of Qingdao Customs for 15 years. He was mainly in charge of following work: smuggling crime law study, inspection and settlement of tough smuggling cases, preliminary inquiry on cases, connection and coordination with procuratorates and courts. He also organized and led the work about many significant smuggling cases. As the key member of the national customs anti-smuggling system, Mr. Shi Donghai has been involved in the drafting and argumentation of many important documents such as *Explanations on Relevant Issues of Laws Applicable to the Anti-smuggling Criminal Cases made by the Supreme People’s Court and Supreme People’s Procuratorate of the People’s Republic of China*. Mr. Shi Donghai provides high quality defense service for smuggling criminals over the country. and his clients include a number of renowned enterprises such as a certain celebrated clothing company listed in Hong Kong and some of domestic Top 500 enterprises. In addition, Mr. Shi Donghai also provides such service as customs clearance planning, customs affairs compliance consultation, customs affairs risk control, customs affairs disputes settlement and legal agency in foreign trade disputes settlement. He is a highly responsible lawyer with abundant work experiences, stable working style and harmonious relationship with others.

Writings:
Judicial Interpretations on Smuggling issued by Supreme People’s Court and Supreme People’s Procuratorate of the People’s Republic of China – Strengths and Weaknesses

Confirmation on Illegal Gains from Smuggling Ordinary Goods and Articles

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Zhao Jing  Partner Lawyer

Qualification: got Lawyer Practice Certificate in 2000
Education: Bachelor of Law, China University of Political Science and Law
Work Experiences:
1999 – 2005 Urumqi Customs, General Administration of Customs of People’s Republic of China (GACC), China E-export Data Center
2013 – present DH Law Group Beijing DHH (Qingdao) Law Firm

After working in the Political and Legal Department of GACC, China E-export Data Center and Urumqi Customs, Ms. Zhao Jing worked and later became a senior manager in Beijing Hendersen Taxand Consulting Service Co., Ltd. whose major business is customs affairs and tax consultation. Ms. Zhao Jing excels in providing import and export companies with such services as customs affairs planning, import & export process design, drafting and reviewing of relevant business agreements, custom risk evaluation, negotiations with the customs for price and classifications, assisting the enterprises to react to customs auditing, representing the clients in administrative penalties cases, the criminal cases and international trade disputes. Ms. Zhao Jing’s clients include Bayer, GE, Shanghai GM, BMW Brilliance, Nike, French Veolia Water Technologies, Diebold financial equipment, Siemens, LG, Fairfield Manufacturing Company, Kenney Manufacturing Company, Digital China, as well as government clients including GACC, Beijing Customs headquarters and subordinate customs, Shanghai Customs and Suzhou Customs, etc.

Writings:
One chapter “Customs” in International Goods Trade Fraud and Anti-fraud
Legal Risks of Import & Export Enterprises Declaring Dishonestly to the Customs
Classic Case Analysis of Customs Price Verification
How to Cope with Customs Auditing
Case Study on IPR Customs Protection
Song Bo  Partner

Education: Bachelor of Law, Zhongnan University of Economics and Law
Work Experiences:
1999 – 2014 Qingdao Customs
2014 – present DH Law Group Beijing DHH (Qingdao) Law Firm

Mr. Song Bo has worked in Qingdao Customs for 15 years, engaging in legal study on regulations and policies regarding customs transportation, cargo, commodity supervision, and enforcement of law. He also joined GACC in legislative investigation and amendments of regulatory documents. He has been awarded Individual First Class Merit by GACC due to his prominent performance. Expertise in laws, regulations and practical operations of customs clearance, familiar with customs price evaluation, classification, origins, processing trade, IPR protection, bonded areas supervision, and capable of compliance review, Mr. Song Bo has provided services of representing, consultation or making defense in many significant litigation and non-litigation cases, e.g. customs classification tariff disputes of a large chemical company with the object amount of over RMB 14 million, and a certain smuggling case concerning importing sea products in Qingdao.

Writings:

Legal Status of Transportation Shipping Bill Declaration
Channels for Customs Classification Tariff Disputes and Remedy

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Jin Yao  Lawyer
Qualification: got Legal Professional Qualification Certificate in 2007
Education: Master of Law, China University of Political Science and Law
Work Experiences:
2002 – 2010  Hangzhou Customs
2010 – 2015  Shanghai Customs
2015– present DH Law Group Beijing DHH (Shanghai) Law Firm

Mr. Jin Yao has worked in Hangzhou Customs and Shanghai Customs for 13 years. Succesively engaging in customs clearance supervision, bond supervision, tariff supervision, tax reduction & exemption and enterprise management, he thereby is expertise in classification, price verification, origins, tax reduction & exemption, bond and IPR customs protection, as well as various policies, laws and regulations related to the Free Trade Zone. He has been fully involved in customs innovation and reform since the establishment of China (Shanghai) Pilot Free Trade Zone in 2013. He has deep understanding of customs FTZ policies and rich practical experiences. Various professional affairs led and pushed on by Mr. Jin Yao such as domestic and overseas bonded maintenance, cross-border E-commerce and commodity classified supervision of China (Shanghai) Pilot Free Trade Zone (Yangshan Bonded Port Zone) and so on, have been paid great attention by the authority.

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Dai Shuping  Lawyer
Qualification: got Legal Professional Qualification Certificate in 2005
Education: Doctor of Management, Shandong University
Work Experiences:
2001  – 2003 China Telecom Weifang Branch
2006  – 2015 Jinan Customs
2015 –present DH Law Group Beijing DHH (Jinan) Law Firm

Mr. Dai Shuping has worked as group custom service manager in a mobile communication provider, and has worked in Jinan customs for almost 10 years. Mr. Dai is familiar with clearance business and can provide legal services in areas of administrative reconsideration and proceedings, compliance management and
examination, clearance plan consultation and design, customs legal risk control, tax preferential policies, tax disputes settlement, IPR customs protection and customs certified enterprise management.

Writings:

*China Customs IPR Protection Status and Record List (2013) (co-author)*

*Analysis on Foreign Trade Enterprises’ Reactions to Customs Investigation on Price Evaluation on Royalties*

*Interpretation on Clinical Trial Subject’s Right to Know and Consent to the Test for New Medicines*

*China’s Medical Workers Closing Ranks in Response to Rising Hospital Violence*

*China Proposes Strict Anti-tobacco Controls*

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**Li Herong Lawyer**

Qualification: got Legal Professional Qualification Certificate in 2010
Education: Bachelor of Law, China University of Political Science and Law
Work Experiences:
2000 – 2012 Urumqi Customs
2012 – 2013 Shandong Hamton Law Firm
2014 – present DH Law Group Shandong DHH (Qingdao) Law Firm

Ms. Li Herong has worked in Urumqi Customs for 12 years. She was successively engaged in aspects of customs inspection, clearance, law and regulations and anti-smuggling businesses. Being a lawyer, she is devoted to commercial legal service, capable of contract legal affairs, corporate governance, corporate legal risk control, customs affairs planning, making defense for smuggling criminal, royalty price verification civil and commercial disputes settlement. She has provided special legal services including royalty price verification and overdue tax payment to a certain listed company and Formosa Plastic Group, and also regular legal consulting services to many enterprises.

Writings:

*Differences among Customs Pre-classification Decisions, Commodity Classification Decisions and Customs Administrative Verdict*
Representation and Characteristics of Failing to Declare Royalty in Smuggling Activities

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Service Mode

- Long-term customs affairs service and legal service: full customs affairs consulting services for a period of half year or one year.

The service is suitable for the enterprises engaging in import and export businesses for a long time. After signing a service agreement with a client, we will set up a fixed service team which includes at least one partner and one lawyer, and some assistant lawyers if necessary. We will provide daily policies and legal consultation on customs affairs, practical consultation on clearance affairs and daily clearance barriers resolution.

- Single item legal service and customs affairs service i.e. providing special service on special customs affairs according to the demands of our clients

The service is suitable for the clients who have special needs for customs affairs. After signing a service agreement with a client, we will set up an appropriate service team which includes at least one partner and one lawyer, and some assistant lawyers if necessary. We will provide a wide range of services including tariff disputes settlement, tariff planning and other specialties, such as customs price disputes settlement, classification disputes settlement, guidance on reactions to customs inspection, representing our clients in administrative penalties cases, administrative reconsideration cases and criminal cases.
Classic Cases

- Assisted a machinery import company supervised by Hangzhou Customs to cope with customs auditing;
- Assisted an agricultural products export company supervised by Nanchang Customs to cope with customs auditing;
- Assisted a private enterprise supervised by Shijiazhuang Customs to cope with customs auditing;
- Assisted an electronic products import company supervised by Beijing Customs to deal with customs price verification;
- Assisted a US company supervised by Huangpu Customs with export commodity classification issues;
- Assisted a US company supervised by Nanjin Customs with negotiation of royalty overdue tax payment;
- Assisted a US company supervised by Shanghai Customs with negotiation of royalty overdue tax payment;
- Assisted a US company supervised by Beijing customs with administrative penalties made by Tianjin customs owing to export products classification;
- Assisted a tire production company supervised by Qingdao customs with IPR protection issues with Tianjin customs, Qingdao customs and Shanghai customs;
- Assisted a US company supervised by Jiangmen Customs with IPR protection;
- Assisted a US company with IPR protection in Chinese customs;
- Assisted an automobile import company with international trade litigation in Japan.