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be considered the institution of proceedings for revocation or suspension, if preliminary proceedings were held.

[T.D. 86–161, 51 FR 30345, Aug. 26, 1986]

§ 111.81 Settlement and compromise.

The Commissioner, with the approval of the Secretary of the Treasury, may settle and compromise any disciplinary proceeding which has been instituted under this Part according to the terms and conditions agreed to by the parties, including but not limited to the reduction of any proposed suspension or revocation to a monetary penalty.

[T.D. 86–161, 51 FR 30345, Aug. 26, 1986]

Subpart E—Monetary Penalty

SOURCE: T.D. 86–161, 51 FR 30345, Aug. 26, 1986, unless otherwise noted.

§ 111.91 Grounds for imposition of a monetary penalty; maximum penalty.

The Customs Service may assess a monetary penalty or penalties as follows: (a) An amount not to exceed an aggregate of $30,000 for any of the reasons set forth in § 111.53, except for those listed in paragraph (b)(3) of that section; or (b) An amount not to exceed an aggregate of $30,000 for all violations and $10,000 for each violation of § 111.4.

§ 111.92 Notice.

The Customs Service shall issue a written notice which advises the broker or other person of the allegations or complaints against him and explains that the person has a right to respond to the allegations or complaints in writing within 30 days of the date of mailing of the notice. The port director has discretion to provide additional time for good cause. Any notice, the basis of which is an alleged violation of § 111.53(b) or which exceeds an aggregate of $10,000 for all alleged violations, shall be referred to the Director, International Trade Compliance Division, Customs Headquarters, for approval before it is issued.

[T.D. 70–134, 35 FR 9254, June 13, 1970, as amended by T.D. 91–77, 56 FR 46115, Sept. 10, 1991]

§ 111.93 Application for relief.

The person shall follow the procedures set forth in part 171 of this chapter in filing an application for relief.

§ 111.94 Decision of appropriate Customs officer.

The Customs Service shall follow the procedures set forth in part 171 of this chapter in considering the application for relief. After the appropriate Customs officers have considered the allegations or complaints and any timely response made, a written decision shall be issued which sets forth the final determination and the findings of fact and conclusions of law on which the determination is based. If the final determination is that the person is liable for a monetary penalty, the person shall pay, or make arrangements for payment, within 60 days of the date of the final determination. If the monetary penalty is not paid or arrangements made for payment within the time limitations, the Customs Service shall refer the matter to the Department of Justice for institution of appropriate judicial proceedings.

§ 111.95 Supplemental petition for relief.

A final determination of the Fines, Penalties, and Forfeitures Officer in excess of $1,000 may be the subject of a supplemental petition for relief under the provisions of § 171.33 of this Chapter. A final determination of $1,000 or less is a final decision and is not subject to further administrative review.

[T.D. 86–161, 51 FR 30345, Aug. 26, 1986; 51 FR 31760, Sept. 5, 1986, as amended by T.D. 99–27, 64 FR 13675, Mar. 22, 1999]

§ 111.96 Fees.

(a) *License fee; fingerprint fee.* Each applicant for a broker's license pursuant to § 111.12, or by special examination pursuant to § 111.13(c), shall be charged a fee of $300 to defray the costs to Customs for the preparation and administration of the examination and other expenses in processing the application. If an applicant either fails to appear for an examination without giving notice at least 24 hours before the examination, or does not pass the examination required by § 111.11(a)(4), $100