

AUSTRALIAN CUSTOMS SERVICE PRACTICE STATEMENT

FILE NO: C07/20266

PRACTICE STATEMENT No: PS2008/02

PUBLISHED DATE: 17 January 2008

AVAILABILITY: INTERNAL ONLY

SUBJECT: ENFORCEMENT OPERATIONS – Seaports

PURPOSE: To establish standardized operational procedures and policy that supports and allows for the provision of efficient and effective Seaports processing and response activities.

APPROVING OFFICER: NATIONAL DIRECTOR ENFORCEMENT AND INVESTIGATIONS

CATEGORY: OPERATIONAL PROCEDURES

CONTACT: DIRECTOR SEAPORTS, ENFORCEMENT OPERATIONS,
CANBERRA

SUMMARY OF MAIN POINTS

Customs Practice Statements are endorsed Customs policy and must be followed by all Customs employees. This Practice Statement outlines:

- Key objectives, roles and responsibilities of Seaports, Enforcement Operations
- Related instructions and Procedural Guidelines for Seaports, Enforcement Operations
- Related Policies and references

The electronic version published on the intranet is the current Practice Statement.

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STATEMENT

Introduction Statement:

One of Customs principle roles is to facilitate trade and movement of people and goods across the border while protecting the community and maintaining appropriate compliance.

Enforcement Operations contributes to the Government's law enforcement objectives by completing processing and response activities in the Seaports environment around Australia. Resources are deployed in Seaports around Australia to undertake processing and response activities on behalf of Customs and a range of other Commonwealth and State Government agencies.

Context and Scope

Enforcement Operations maintain a presence at 35 Seaport locations around Australia, incorporating District Offices and Regional Offices in all states and territories. Staff at these locations undertake a range of processing and response activities in relation to goods, ships, crew and passengers arriving and departing from these locations and at any other authorised location on the coast.

The functions in scope include:

- Inwards and outwards report and processing of ships, their passengers and crews.
- Monitoring the movements of overseas vessels.
- Clearance of ships, passengers and crew.
- Boarding vessels to ensure compliance with Customs and other Commonwealth requirements.
- Conducting searches and examinations of ships, crew & passengers.
- Conducting waterfront patrols and surveillance to ensure compliance with Customs and other Commonwealth legislation.
- Conducting intelligence gathering through the use of patrols and surveillance.
- Conducting border integrity and alert response activities.

Policy Statement

Enforcement Operations will play a significant role in the maintenance of border safeguards by undertaking a range of processing and response activities in the Seaports environment. The key priorities are:

1. To establish and maintain an effective control over persons, goods, ships and small craft, from the time of arrival from overseas until their departure or formal entry into Australia.
2. To facilitate the legitimate movement of persons, goods, ships and small craft through the Customs border whilst maintaining border integrity.

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3. To identify and respond to threats to the border and apparent breaches of legislation.
4. To provide a quality service meeting standards agreed with client agencies, including the Australian Quarantine and Inspection Service, the Department of Immigration and Citizenship, the Department of Infrastructure, Transport, Regional Development and Local Government, Australian Maritime Safety Authority, the Australian Federal Police and the Australian Fisheries Management Authority.
5. To collect, in a cost effective manner, the correct amount of Customs duties, levies, GST and other charges legally due.

Procedural Statement

To implement the Seaports Processing and Response policy, Enforcement Operations staff will conduct relevant processing, response and associated activities in Seaports around Australia in accordance with the related Seaports Instructions and Guidelines (SIG).

s22(1)(a)(ii)

RELATED POLICIES AND REFERENCES

- Customs Act 1901;
- Customs (Prohibited Exports) Regulations 1958;

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- Customs (Prohibited Imports) Regulations 1958;
- Customs Regulations 1926;
- Environmental Protection and Biodiversity Conservation Act 1999;
- Financial Transactions Reports Act 1988;
- Fisheries Management Act 1991;
- Migration Act 1958
- Maritime Transport and Offshore Facilities Security Act 2003;
- Navigation Act 1912:
- Quarantine Act 1908
- Business Practice Statement: Clearance Of Cargo - Imports

KEY ROLES AND RESPONSIBILITIES

NATIONAL MANAGER ENFORCEMENT OPERATIONS

DIRECTOR SEAPORTS, ENFORCEMENT OPERATIONS

Responsibilities of the Seaports Policy Section, Seaports Enforcement Operations

The Seaports Policy section in Canberra is responsible for the development and provision of policy and procedural advice on Seaports matters to regional staff and Customs management. The section is also responsible for liaison at a national level with all external stakeholders, in particular – DIAC, DITRD&LG, AQIS and AMSA.

Responsibilities of the Technical Support Section, Seaports, Enforcement Operations

The prime function of the Technical Support Section is to provide technical support to officers undertaking Seaports processing and response activities in the region, in particular as it relates to the INTERCEPT system .

Responsibilities of Regional and District Offices

Regional and District Offices carry out Seaports processing and response activities on behalf of the National Manager Enforcement Operations in Canberra. Seaports, Enforcement Operations Canberra provide support and advice on Seaports issues, and maintain liaison with all relevant Federal and State Government agencies as well as industry bodies in relation to Seaports activities.

CONSULTATION

Industry Consultation

Not required

Internal Consultation

The following internal stakeholders have been consulted in the development of this Practice Statement:

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Director Seaports, Enforcement Operations
Manager Seaports Policy - Seaports, Enforcement Operations
Manager Technical Support – Seaports, Enforcement Operations

Approval

Approved on 15 January 2008 by:

BRIAN HURRELL
A/g National Director
Enforcement and Investigations

ENDORSED

Endorsed on 15 January 2008 by:

MARION GRANT
DCEO

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