



CONSENT TO OBTAIN PERSONAL INFORMATION FORM

Privacy Statement

The Department of Immigration and Border Protection (the Department) is collecting your personal information for the purposes of assessing and determining whether you are a fit and proper person as required for an application for one of the following licences or registrations:

- Depot Licence under Part IVA of the *Customs Act 1901* (Customs Act)
- Warehouse Licence under Part V of the Customs Act
- Customs Broker Licence under Division 3 of Part XI of the Customs Act
- Cargo Terminal Operator or Cargo Handler Registration under Part VAAA of the Customs Act
- Re-mail or Special Reporter Registration under Division 3 of Part IV of the Customs Act.

Your personal information will be used by the Department to determine whether you are a fit and proper person as required under the Customs Act. Details regarding the criteria to be met in order to be determined as a fit and proper person are outlined in the General Information on this form.

When assessing and determining if you are a fit and proper person, the Department may disclose your personal information to Australian Federal, State and Territory Police Forces (collectively known as the 'Australian police services'), CrimTrac agency, AusCheck, Australian Securities and Investments Commission and Insolvency and Trustee Service Australia, other relevant government agencies and law enforcement agencies. These agencies may also disclose your personal information to the Department and each other during this assessment process.

If you do not provide your personal information to the Department it may result in you being assessed as not a 'fit and proper person' meaning that the licence or registration may not be granted, renewed or may be suspended.

The Department will use and store your personal information in accordance with the Australian Privacy Principles in Schedule 1 of the Privacy Act 1988.

Further information regarding how your personal information will be handled by the Department can be found at <http://www.border.gov.au/about/access-accountability/privacy> or by contacting the Department's Privacy Officer on 1300 363 263.

General Information

Depot Licence

- If you have any conviction for an offence against the *Customs Act 1901* (Customs Act) committed within the 10 years immediately before that decision;
- If you have any conviction for an offence against another law of the Commonwealth, or a law of a State or a Territory, that is punishable by imprisonment for one year or longer, being an offence committed within the 10 years immediately before that decision;
- Whether you are an insolvent under administration;
- If any misleading statement was made under sections 77H or 77J of the Customs Act in relation to the application for the licence by or in relation to the person (individual, a company or a partnership);
- If any such statement was false whether you knew the statement was false; and
- If you have been refused a transport security identification card (Aviation Security Identification Card (ASIC) or Maritime Security Identification Card (MSIC)), or had such a card suspended or cancelled, within the 10 years immediately before the decision.

Warehouse Licence

- If you have any conviction for an offence against the Customs Act committed within the 10 years immediately preceding the making of the application;
- If you have any conviction for an offence against another law of the Commonwealth, or a law of a State or a Territory, that is punishable by imprisonment for one year or longer, being an offence committed within the 10 years immediately preceding the making of the application;
- Whether you are an undischarged bankrupt;
- If any misleading statement was made under sections 80 or 80A of the Customs Act in relation to the application by or in relation to the person;
- If any such statement was false whether you knew the statement was false; and
- If you have been refused a transport security identification card (Aviation Security Identification Card (ASIC) or Maritime Security Identification Card (MSIC)), or had such a card suspended or cancelled, within the 10 years immediately preceding the making of the application;

Customs Broker Licence

- If you have any conviction for a prescribed offence committed within the 10 years immediately preceding the making of the application;
- If you have been refused a transport security identification card (Aviation Security Identification Card (ASIC) or Maritime Security Identification Card (MSIC)), or had such a card suspended or cancelled, within the 10 years immediately before the decision or immediately preceding the making of the application;
- Whether you are an undischarged bankrupt;
- If any misleading statement was made in the application by or in relation to the person; and
- If any such statement was false whether you knew the statement was false;

General Information cont

Re-mail Reporter Registration

- If you have any conviction for an offence against the Customs Act committed within the 10 years immediately before the decision;
- If you have any conviction for an offence punishable by imprisonment for 1 year or longer against another law of the Commonwealth, or a law of a State or a Territory if that offence was committed within the 10 years immediately before that decision;
- Whether you are an insolvent under administration;
- If in the 2 years immediately before the decision, you have been a director of or concerned in the management of, a company that has been, or is being wound up; or had its registration as a re-mail reporter cancelled by the Comptroller-General of Customs under paragraph 67K(1)(a), (b) or (d) of the Customs Act;
- If any misleading information or documents has been provided in relation to the person by the applicant under sections 67F(2) or 67G(2) of the Customs Act;
- If any information or document given by or in relation to the person was false whether the applicant knew the information or document was false; and
- If you have been refused a transport security identification card (Aviation Security Identification Card (ASIC) or Maritime Security Identification Card (MSIC)), or had such a card suspended or cancelled, within the 10 years immediately before the decision.

Special Reporter Registration

- If you have any conviction for an offence against the Customs Act committed within the 10 years immediately before the decision;
- If you have any conviction for an offence punishable by imprisonment for 1 year or longer against another law of the Commonwealth or a law of a State or Territory if that offence was committed within 10 years immediately before that decision;
- Whether you are an insolvent under administration;
- If in the 2 years immediately before the decision, you have been a director of or concerned in the management of, a company that had been, or is being wound up; or had its registration as a special reporter in relation to any law value cargo of any kind cancelled by the Comptroller-General of Customs because of a breach of any condition to which the registration of the company as a special reporter was subject;
- If any misleading information or document has been furnished in relation to the person by the applicant under subsection 67EC(2), 67ED(5) or 67EK(12) of the Customs Act;
- If any information or document given by or in relation to the person was false whether the applicant knew the information or document was false; and
- If you have been refused a transport security identification card (Aviation Security Identification Card (ASIC) or Maritime Security Identification Card (MSIC)), or had such a card suspended or cancelled, within the 10 years immediately before the decision.

Cargo Terminal Operator or Cargo Handler Registration

- If you have any conviction for an offence against the Customs Act committed within the 10 years immediately before that decision;
- If you have any conviction for an offence against another law of the Commonwealth, or a law of a State or a Territory, that is punishable by imprisonment for one year or longer, being an offence committed within the 10 years immediately before that decision;
- If any misleading statement was made upon a request under subsection 102CF(2) and the Comptroller-General of Customs was considering a direction under Division 5 of Part VAAA of the Customs Act;
- If you have been refused a transport security identification card (Aviation Security Identification Card (ASIC) or Maritime Security Identification Card (MSIC)), or had such a card suspended or cancelled, within the 10 years immediately before the decision.

Spent Convictions Scheme

The Commonwealth, State and Territory governments have enacted legislation that protects certain old criminal convictions. Part VIIC of the *Crimes Act 1914 (Cth)* (*Crimes Act*) prohibits the collection, use and disclosure of quashed, pardoned or spent convictions, unless an exclusion applies. There are similar provisions in the other state and territory jurisdictions.

Each Australian police service will apply the relevant Commonwealth, State or Territory legislative spent convictions scheme before disclosing information. Please contact the relevant Australian police agency or seek independent legal advice if you require information regarding the use and disclosure requirements of a particular state's spent convictions scheme.

How to Complete and Submit the Form

Complete all sections in this form, including answering the questions in the Criminal / Traffic Charge, Conviction, Pecuniary Penalties or Administrative Action section and signing your consent in the Consent section.

To verify your identification you must provide copies of 100 points of identification. Every copy of each identification must be certified. Please see Form B200 – 100 Point Check.

You may submit the consent form through your employer or directly to the Department.

Provision of False or Misleading Information

The Department requests that you certify that the personal information you provide on this form is correct.

Any deficiency in your answers, or the provision of false or misleading information may result in you being assessed as not a 'fit and proper person' meaning that the licence or registration applied for may not be granted or renewed or may be suspended. You may also be prosecuted for providing false or misleading information.

Licence (select applicable licence)

Customs Warehouse Licence
 Customs Depot Licence
 Customs Broker Licence
 Cargo Terminal Operator/Cargo Handler Registration
 Re-mail / Special Reporter Registration

Personal Information

Surname (current)		All other names by which you have been known	
Given Names		Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	
Date of Birth	Place of Birth	State/Country of Birth	
Contact Phone Number	Drivers Licence Number	State of Issue	
Email Address			

Permanent Residential Addresses Over the Last Ten Years (including postcodes)

Full details of all addresses are required including postcodes and overseas addresses. <i>Attach list if insufficient space.</i>		If actual dates are unavailable, details of years of residence will suffice.
ADDRESS	PERIOD OF RESIDENCE	
	to	
	to	
	to	
	to	
	to	
	to	
	to	
	to	

Criminal/Traffic Change, Conviction, Percuniary Penalties or Administrative Action

(i) Are you the subject of any traffic violations, criminal or traffic charge(s) still pending before a court? Yes No
 If YES, please provide details (*Attach list if insufficient space*)

(ii) Do you have any conviction(s) or finding(s) of guilt which are less than ten (10) years old, or any juvenile conviction(s) or finding(s) of guilt which are less than five (5) years old? If YES, please provide details (*Attach list if insufficient space*) Yes No

(iii) Do you have any conviction(s) or finding(s) of guilt which are over ten (10) years old, (or five (5) years for juvenile conviction(s) or finding(s) of guilt) where the sentence imposed was greater than thirty (30) months imprisonment? If YES, please provide details (*Attach list if insufficient space*) Yes No

(iv) Have you been refused a Maritime Security Identification Card (MSIC) or Aviation Security Identification Card (ASIC) or had an MSIC or ASIC suspended or cancelled. If YES, please provide details (*Attach list if insufficient space*) Yes No

I _____
(Full Name – Please complete the form in BLOCK LETTERS)

Hereby:

- (a) acknowledge that I have read all the instructions and information on this form and also Form B200 – 100 Point Check and understand that I may not have to disclose information or answer questions about convictions protected by the various Commonwealth, State and Territory Spent Convictions Schemes.
- (b) understand that the Comptroller-General of Customs is required under the Customs Act to determine whether I am a fit and proper person for the purposes of granting the above licence or registration and in doing so must have regard to certain criteria as outlined in the General Information.
- (c) consent to:
 - i. the Department accessing and using its own records and databases that relates to me to confirm my personal details, civil and criminal history;
 - ii. the Department forwarding my details on this form and any attachments to, the CrimTrac agency, any Australian police services and/or other law enforcement agencies;
 - iii. the CrimTrac agency, any Australian police service and/or other law enforcement agencies accessing and extracting from their records relevant information relating to me;
 - iv. the CrimTrac agency, the Australian police services and/or other law enforcement agencies disclosing relevant information relating to me to the Department and each other;
 - v. the Department forwarding my details to AusCheck to access their records relating to whether I have been refused, had cancelled or suspended an ASIC and/or MSIC and disclosing that information to the Department;
 - vi. the Department forwarding my details to the Australian Securities and Investments Commission, Insolvency and Trustee Service Australia to confirm whether or not I am bankrupt or an insolvent under administration and disclosing that information to the Department.
- (d) consent to my personal information in this form being used by the Australian police services for law enforcement purposes including the investigation of outstanding criminal offences.
- (e) consent to the Department taking into account any information provided by me on this form, or that was given to the Department by the CrimTrac agency, the Australian police agencies, other law enforcement agencies, AusCheck, Australian Securities and Investments Commission, Insolvency and Trustee Service Australia or other government agencies, as a result of the checks undertaken by them, when assessing me, my company or partnership, or my employer's suitability as a fit and proper person, company or partnership under the Customs Act.
- (f) consent to the Department disclosing to the applicant for, or holder of, the relevant licence or registration, the results of my assessment if the information is considered to constitute grounds for not granting the licence or registration or revoking or suspending the licence or registration presently held by them.

I have fully completed this form and the personal information I have given relates to me and is correct.

Signature: _____ Date: _____

Company Name: _____ State: _____

Licence Number / Establishment Code/Special Reporter Number: _____

Position Held: _____