



General Information

A 'Consent to Obtain Personal Information' form is issued by Customs and Border Protection as part of the assessment process to determine whether a person is a fit and proper person for the purposes of the *Customs Act 1901*. Unless statutory obligations require otherwise, the information provided on this form will not be used without your prior consent for any purpose other than in relation to the assessment of 'fit and proper person' status. This may include disclosing an adverse assessment to the licence applicant or holder.

Please note: All persons who require a fit and proper person check must provide certified copies of 100 points of identification. Please see attachments A and B for further information.

Police Records Check

Police records checks are an integral part of the assessment of whether you are a 'fit and proper person'. On this form you are asked to disclose whether you are the subject of any traffic violation or any criminal or traffic charge still pending before a Court, or whether you have been the subject of any criminal or traffic charge before a Court. You are not required to reveal any conviction, which may be protected by Part VIIC of the *Crimes Act 1901*, relating to pardoned, quashed or spent convictions, except where exclusion applies.

This form also asks you to consent to a Police Service disclosing to Customs and Border Protection any offences against a law of the Commonwealth, State or Territory that you have been convicted of. This applies where the offence was punishable by imprisonment for one year or longer and the offence was committed within the last 10 years.

Spent Convictions Scheme

The Police Service is not able to disclose any spent, quashed or other convictions that are protected by Part VIIC of the *Crimes Act 1914* without your consent. These convictions may include offences for which you were convicted while a minor where that conviction was more than five years ago and you were imprisoned for 30 months or less.

An individual who believes that the standards dealing with disclosure and use of those convictions have been breached may apply to the Privacy Commissioner for an investigation of the matter.

Submission of the Form

You may submit the consent form through your employer or direct to the Australian Customs and Border Protection Service in the State or Territory in which your employer will lodge the application. You are asked to consent to the Police Service:

- searching its own records and disclosing to Customs and Border Protection any relevant offences of which you have been convicted;
- accessing the records of any Federal, State or Territory Police Service through the CrimTrac agency or other relevant law enforcement agencies and disclosing to Customs and Border Protection any relevant offences of which you have been convicted; and
- using the information received for law enforcement purposes including the investigation of any outstanding criminal offences.

Provision of false or misleading information

You are asked to certify that the personal information you have provided on this form is correct. If it is subsequently discovered that you have provided false or misleading information, you may be assessed as unsuitable to receive the entitlement you seek. It should be noted that:

- Police Services do not assess or judge your application but merely provide the tools to assist Customs and Border Protection in assessing your suitability;
- the existence of a record does not mean that you will be automatically assessed as being unsuitable; and
- each case is assessed on its merits, hence it is in your interests to provide full and frank details on the form.

Please note: Failure to complete the form will result in the applicant being deemed NOT a 'fit and proper person'.

I.....
(Full Name – Please complete the form in BLOCK LETTERS and in INK)

who is seeking the entitlement of fit and proper person status for a:

Customs Warehouse Licence

Customs Depot Licence

hereby:

- i. acknowledge that I have read the general information document provided with this form and understand that I do not have to disclose 'protected convictions information', being information which is referred to in that document under the heading **Spent Convictions Scheme**;
- ii. understand that the CEO of the Australian Customs and Border Protection Service is required to determine whether or not I am a fit and proper person as outlined in the *Customs Act 1901*. In doing so the CEO must have regard to any offence against a law of the Commonwealth (other than the *Customs Act 1901*), State or Territory which I have been convicted of where the offence may be punishable by imprisonment for one year or longer, and that offence was committed within the last 10 years. The CEO must also have regard to any offence against the *Customs Act 1901* which I have been convicted of where I committed the offence in the last 10 years;
- iii. recognise that in order to verify personal details, civil and criminal history, the following records may need to be examined: Customs and Border Protection may need to examine their systems and databases and check records to corroborate places of residence and whether an individual or company or partnership has at anytime become insolvent. Customs and Border Protection may also need to make enquiries with any agency, organisation or person which may be able to verify my claims and provide information relevant to the assessment of the application;
- iv. consent to Customs and Border Protection forwarding details from this form to the CrimTrac Agency and/or to the Australian Federal Police (AFP) State/Territory police services or other relevant law enforcement agencies;
- v. consent to other relevant Australian police services or other law enforcement agencies extracting from their records copies of offences which I have been convicted of where:
 - The offence was punishable by imprisonment for one year or longer;
 - That offence was committed in the last 10 years; and
 - Is not a conviction covered by Part VIIC of the *Crimes Act 1914*
- vi. consent to the AFP or other police services or law enforcement agencies providing relevant information to Customs and Border Protection;
- vii. consent to the AFP or other police services using the information received for law enforcement purposes including the investigation of outstanding criminal offences;
- viii. acknowledge that any information provided by me on this form or by the police services or other agencies as a result of the checks undertaken by them may be taken into account by Customs and Border Protection in assessing my, or my employer's or my firms' or my company's, or partnership's suitability as a fit and proper person, and/or fit and proper company or partnership as required by the *Customs Act 1901*;
- ix. acknowledge that if I am being assessed on the basis of being an employee participating in the management or control of a licensed warehouse or depot, that the applicant for the licence or the licence holder may be informed of the results of the assessment in the event that the information is considered to constitute grounds for not granting the licence or revoking the licence presently held by them.

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I have read the information provided to me above and certify that the personal information I have provided for the abovementioned entitlement relates to me and is correct. I hereby consent to and authorise Customs and Border Protection to seek and obtain any information as described above. I also request any person or organisation as described above to furnish such information to Customs and Border Protection to verify my claims.

Signature: Date: / / 20

Company Name: State:

Licence Number/Establishment Code: Position Held:

PERSONAL PARTICULARS (BLOCK LETTERS)

Surname (current)		All other names by which you have been known	
Christian or given names		Sex <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	
Date of birth	Place of birth (city/town)	State/country of birth	
Contact phone number	Drivers licence number	State	

PERMANENT RESIDENTIAL ADDRESSES OVER THE LAST TEN YEARS (INCLUDING POSTCODES)

If full details of previous addresses are unavailable details of town, state and country will suffice. <i>Attach list if insufficient space.</i>		If actual dates are unavailable, details of years of residence will suffice.	
Current	Postcode	Period of residence	
		To	
	Postcode	To	
	Postcode	To	
	Postcode	To	
	Postcode	To	

CRIMINAL/TRAFFIC CHARGE, CONVICTION OR PECUNIARY PENALTIES

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

(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

Attachment A

People nominated as being involved in the management and/or control of a warehouse or depot are required to establish their identity by providing certified copies of the following documents which total 100 points or more:

Primary Documents (70 points) - One document must be supplied from this category. No additional points for multiple documents.

- Birth Certificate
- Citizenship Certificate
- Current Passport
- Expired Passport which has not been cancelled and was current within the preceding two years
- Other document having the same characteristics as a passport including diplomatic documents and some documents issued to refugees

Secondary Documents - One document from each point category can be used for the additional point score.

Document - must have a photograph and a name **(40 Points)**

- Driver's Licence issued by an Australian State or Territory
- Licence or permit issued under a law of the Commonwealth, State or Territory Government - (e.g. a boat licence)
- Identification card issued to a public employee
- Identification card issued by the Commonwealth, State or Territory Government as evidence of the
- person's entitlement to a financial benefit
- An identification card issued to a student at a tertiary institution

Document - must have a name and address **(35 Points)**

- A document held by a cash dealer giving security over your property
- A mortgage or other instrument of security held by a financial body
- Document from your current employer or previous employer within the last 2 years
- Land Titles Office record
- Document from the Credit Reference Association of Australia

Document - must have a name and signature **(25 Points)**

- Marriage certificate (for maiden name only)
- Credit Card
- Foreign Driver's Licence
- Medicare Card (signature not required on Medicare Card)
- EFTPOS Card

Document - must have a name and address **(25 Points)**

- Electoral Roll compiled by the Australian Electoral Commission and available for public scrutiny
- Records of public utility - phone, water, gas, electricity bill
- Records of a financial institution
- A record held under a law other than a law relating to land titles
- Council rates notice

Document - must have a name and address **(25 Points)**

- Rent/Lease agreement
- Rent receipt from a licensed real estate agent

Document - must have a name and date of birth **(25 Points)**

- Record of a primary, secondary or tertiary educational institution attended by you within the last 10 years
- Record of professional or trade association of which you are a member

Please note: Any person taking up a position of management or control subsequent to the licensing of the warehouse or depot is required to provide the same proof of identity requirements as those nominated in the application.

Attachment B

Below is a list of persons who are authorised to certify the 100 points of identification:

Members of Certain Professions

- Chiropractor
- Dentist
- Legal Practitioner
- Medical Practitioner
- Nurse
- Patent Attorney
- Pharmacist
- Veterinary Surgeon
- Police Officer
- Registrar, or Deputy Registrar, of a Court
- Sheriff
- Sheriff's Officer
- Teacher employed on a full-time basis at a school or Tertiary Education Institution

Other Persons

- Agent of the Australian Postal Corporation who is in charge of an office
- Australian Consular Officer or Australian Diplomatic Officer
- Bailiff
- Bank Officer with 5 or more years of continuous service
- Building Society Officer with 5 or more years of continuous service
- Chief Executive Officer of a Commonwealth Court
- Civil Marriage Celebrant
- Clerk of a court
- Commissioner of Affidavits
- Commissioner of Declarations
- Credit Union Officer with 5 or more years of continuous service
- Holder of a statutory office not specified in another item in this part
- Judge of a court
- Justice of the Peace
- Magistrate
- Master of a court
- Member of the Australian Defence Force who is:
 - An officer; or
 - A non commissioned officer with 5 or more years of continuous service
- Member of the Institute of chartered Accountants in Australia
- Member of the Corporate Managers, Secretaries and Administrators
- Member of the Institution of Engineers, Australia
- Member of:
 - The Parliament of the Commonwealth;
 - The Parliament of a state;
 - A Territory legislature; or
 - A Local Government Authority of a State or Territory.
- Minister of religion registered under Division 1 of the Marriage Act 1961
- Notary Public
- Permanent employee of:
 - The Commonwealth or of a Commonwealth authority;
 - A state or Territory or of a state or Territory Authority; or
 - A Local Government Authority;with 5 or more continuous years of service