



AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE PRACTICE STATEMENT

FILE No:

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Title: **Air Cargo Intervention**

PURPOSE: **To describe Customs and Border Protection's inspection and examination strategy for international air cargo**

OWNER: **National Director Cargo**

CATEGORY: **Operational Procedures**

CONTACT: **National Manager Strategic Development (Cargo)**

Summary of main points

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

- objectives and activities employed in Customs and Border Protection's intervention strategy for import and export air cargo;
- standards and guidelines relevant to the inspection and examination of import and export air cargo; and
- Customs and Border Protection's interaction with industry and other Government agencies (including, but not limited to AQIS, AFP and the Office of Transport Security).

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

Introduction Statement

The intended policy outcomes of this practice statement are:

1. to provide policy guidance to Customs and Border Protection officers and other internal stakeholders on Customs and Border Protection's approach to air cargo intervention; and
2. to allow for the implementation of nationally consistent Instructions and Guidelines for Customs and Border Protection's inspection and examination of international air cargo entering or leaving Australia.

Context and Scope

This practice statement includes the following:

- targeted examinations of high risk import or export air cargo;
- campaigns, coverage and sampling activities for air cargo;
- referrals to other Divisions within Customs and Border Protection or external agencies for matters of possible investigation/prosecution; and
- engagement with industry to facilitate the inspection and examination of cargo.

This practice statement does not include:

- Practices in relation to the programmed examination of air cargo;
- The inspection or examination of postal articles imported via air cargo;
- The inspection or examination of air passenger baggage; and
- Cargo control and accounting activities undertaken by Compliance on air cargo.

Policy Statement

Protecting the Australian community through the interception of regulated goods and the control of restricted goods in international air cargo is a high priority for Customs and Border Protection. Certain legislative acts (e.g. the *Customs Act 1901* and *Trade Marks Act 1995*) grant Customs and Border Protection officers' powers to undertake activities to deliver this border protection outcome.

Customs and Border Protection employs an intelligence-led risk-based intervention approach for air cargo, supported by appropriate assurance and disruption activities.

This process facilitates the movement of legitimate trade by minimising interventions in low risk cargo.

The approach is underpinned by the electronic risk assessment of all imported and exported air cargo to identify the level of risk and determine the appropriate intervention.

The intelligence-led risk-based intervention approach is achieved through four activities:

- *Targeted* – under which 100 per cent of consignments identified as high-risk are physically examined.
- *Campaigns* – designed to test and validate emerging risks, introduce uncertainty as to the nature of our interventions and provide flexibility in our response capability. Campaigns may include inspections, examinations or documentary checks.
- *Coverage* – inspection-based activity directed primarily at treating medium risk, to provide awareness across the environment and to provide detection, deterrence and disruption capability in medium and unknown risk areas and outside of the traditional high volume cargo handlers.
- *Sampling* – a program to monitor and assess underlying rates of leakage and to provide a baseline measure to inform changes for coverage and campaign activities.

Targeted, Campaign and Coverage deployment priorities are established by Intelligence & Targeting and other relevant risk owners, and are communicated to officers undertaking air cargo intervention.

All officers conducting cargo intervention activity contribute to Customs and Border Protection's overall responsibilities through the management and delivery of these intervention activities in accordance with identified deployment priorities.

Through adherence with relevant instructions and guidelines, Customs and Border Protection officers will comply with this policy, and related policies when undertaking air cargo intervention activities.

The four intervention activities are achieved through:

- adherence to the Border Targeting priority guidelines and Air Cargo Examinations Standards for targeted jobs;
- application of risk-based inspection techniques to maximise the ability to detect unlawful activity in the air cargo environment;
- employing a multi-disciplinary approach to risk treatment activities in the air cargo environment;
- ensuring Customs and Border Protection Officers possess the necessary skills and competencies to maintain operational effectiveness, including the application and use of available technology;
- adherence to relevant Customs and Border Protection Instructions and Guidelines; and
- application of all relevant OH&S policies and guidelines.

Referrals to other Customs and Border Protection areas and external agencies for matters of possible investigation/prosecution or controlled operations are achieved through:

- appropriate referral of detections in accordance with the Investigations Referral guidelines and relevant Memorandum of Understanding with other agencies;
- adherence to Instructions and Guidelines relating to post detection activities;
- awareness of depot's operators' responsibilities under the Act, and in provisions of the Aviation Security Transport Security Act 2004 (including Transport Security Plans for licensed premises); and
- providing statements and attending court when required.

Engagement with industry to facilitate the inspection and examination of cargo in accordance with this policy is achieved by:

- being responsive to requests for the examination of high risk cargo;
- being responsive to changes in industry practice where appropriate;
- regular communication with industry, including informing industry stakeholders of changes being introduced by Customs & Border Protection in relation to the air freight logistics environment; and
- responding to feedback from our stakeholders in a timely manner, and implementing change where appropriate.

Related Practice Statements

- Chief Executive Instructions
- Detection of Undeclared Explosives, Explosive Devices and Explosive Material (PS2009/07) and related Instructions & Guidelines
- Use of technology to detect undeclared illicit drugs, controlled substances and precursors (PS 2009/32) and related Instructions & Guidelines
- Use of technology to detect undeclared chemical agents (PS 2009/33) and related Instructions & Guidelines
- Use of operational x-ray and radiation detection/identification equipment (PS 2009/34) and related Instructions & Guidelines.
- OH&S Policy Management of Hazardous Substances Practice Statement
- Licensing – Warehouses, Depot and Brokers Practice Statement (TBA)
- Import and Export Controls on Firearms and Related Goods Practice Statement (TBA)
- Prohibited & Restricted Imports & Exports Practice Statement (TBA) and related Instructions & Guidelines

Related policies and references

This policy statement must be read in conjunction with any legislation, national or regional instructions or guidelines specific to the Customs and Border Protection work areas including the specific occupational health and safety policies.

These include but are not limited to:

- Customs Act 1901 (and associated Regulations)
- Aviation Transport Security Act 2004 (and associated Regulations)
- APS Code of Conduct
- Air Cargo Examination Standards
- Australian Customs & Border Protection Service Manual Volume 5 Import Prohibitions and Restrictions
- Border Targeting Priority Rating Guidelines
- Custodial Firearms Manual
- Customs Client Service Charter
- Customs Collective Agreement 2007-2010
- Customs Corporate and Governance policies and guidelines
- Customs Health and Safety Management Arrangements (OHS Policy)
- Customs Intelligence Priorities
- Customs Strategic Statement 2007-2010
- Detained Goods Management Policy
- Investigations Referral Guidelines
- OHS Legislation, Policy and Guidelines
- The Australian Customs Service / AFP Memorandum of Understanding
- AQIS Memorandum of Understanding
- AQIS - Quarantine Free List

Key roles and responsibilities

Policy owner: National Manager Strategic Development (Cargo)

Information Contact: Director Cargo Intervention Strategies (x46 6367)

Consultation

Industry Consultation

Industry consultation is ongoing between Customs and Border Protection, the Conference of Asia Pacific Express Couriers (CAPEC), CTO's and s77G depots.

Internal Consultation

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

- Air Cargo Operations
- Cargo Business Improvement
- Intelligence and Targeting
- Enforcement and Investigations
- Trade and Compliance

Approval

Approved on	01/09/10	
By	Raelene Vivian ND Cargo	
Endorsed on	10/09/10	
By	Neil Mann DCEO PT&F	