



INSTRUCTIONS AND GUIDELINES

Detained Goods Management

Re-Exporting Goods

September 2011

**This Instruction & Guideline refers to Practice Statement:
PS2011/34 Detained Goods Management**

Published date:	09 November 2011
Availability:	Internal and external
Subject:	Detained Goods Management - Re-Exporting Goods
Purpose:	The procedure to be adopted when goods in custody are to be re-exported from Australia
Owner:	National Director Cargo
Category:	Operational Procedures
Contact:	Director Air Cargo Improvement

The electronic version published on the intranet is the current Instruction and Guideline.

Summary of main points

This document identifies the requirements and procedures surrounding detained goods being re-exported:

- Re-export option is not available unless certain conditions are met
- Documentation required
- Goods to remain under Customs and Border Protection secure control
- Export options

This I&G applies to staff in:

- Detained Goods Management

Introduction

These instructions have been developed to provide a framework to ensure the secure storage of goods and promote accountability and consistency in the operations of the Detained Goods Management (DGM) function. It is important that all policies and procedures promote and reinforce integrity and transparency.

These instructions apply to the controls exercised on the management of Non Firearms with limited references to Firearms. Specific instruction on the management of Firearms, are contained in the Custodial Firearms Policy Instructions and Guidelines – March 2011.

<http://intranet.customs.gov.au/resources/legislation-and-policy/policy-and-procedure/documents/PSxxxxxx-ig-CustomsandBorderProtectionCustodialFirearmsPolicy.pdf>

Instructions and Guidelines

Re-Exporting Goods

Re-export is not available to all importers. It may be offered as an option where there are difficulties in obtaining import permits or an inability to pay the duty and taxes on import.

Re-export is not appropriate in all circumstances and is dependent on several conditions:

1. The goods were originally declared
2. The goods are not prohibited absolutely for export
3. Relevant permits are obtained for goods which are controlled exports
4. All required Customs and Border Protection export formalities are complied with
5. Re-export is at the importer's expense
6. The goods will be returned to the country from which they were consigned
7. All import requirements for the country they are being returned to are complied with
8. The goods remain in Customs and Border Protection Control until export
9. The Manager of the seizing line area has not registered any objection to and approves the re-export, and
10. Where policy associated with seizure or detention allows

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Where goods are not declared, exceptions may be granted by the line area Manager to permit and approve exportation where deemed appropriate. All other conditions must still be met.

The work group conducting the post detection administration activity for consignments of goods that have been approved for re-export will be responsible for completing any tasks associated with the re-export. This includes interactions with the client and any verification activity. Any goods stored at a Detained Goods Store will be returned to the relevant operational work group, or any another pre-arranged location, to enable the re-export to proceed, unless otherwise agreed.

The attached checklist for re-exporting goods is provided as a guide to be utilised as necessary to ensure all procedures are completed. A copy of any checklist completed should be attached to the relevant file to demonstrate all necessary actions have been taken.

Documentation

The re-exportation is to be fully documented on the relevant file with the following:

- Original receipts issued to the importer (e.g. B390, DEWHA Seizure notice, DutyCalc – Receipt for held goods)
- Evidence of transfer to the exporting company, (e.g. signed DGMS Release/Transfer receipt, B390)
- DEWHA Release letter (if applicable)
- Relevant export permits (if applicable)
- Overseas address
- Exporter's signature
- Witness (usually a Customs and Border Protection Officer)
- Authorisation for third party to act on owner's behalf (if applicable)
- Evidence of export (Australia Post stamp, Customs and Border Protection port stamp, air - waybill)
- Export declaration number (if applicable)
- Any other relevant documentation
- Checklist for Re-export – see attached.

Export Options

Goods may be exported in a variety of ways, including mail, air or sea freight or in passenger's baggage.

The goods are to remain in Customs and Border Protection Control until they have been handed to the export provider, e.g. Australia Post, Freight Forwarder and Airline check in staff.

Australia Post	<ul style="list-style-type: none"> • The exporter must be accompanied to Australia Post and the Customs and Border Protection Officer is to retain control of the goods until they have been mailed. • A signed receipt issued by Customs and Border Protection (e.g. DGMS Release/Transfer Receipt, B390) showing the goods have been handed over to Australia Post must be retained by Customs and Border Protection. • Evidence of export must be retained. • It is not appropriate to send some items by post. The owner is to be directed to contact Australia Post on 131318 to confirm that their goods can be sent via Australia Post. Alternatively, owners can verify postal export eligibility on the Australia Post website – auspost.com.au. • Goods exported by Post should show the sender’s details as “Australian Customs and Border Protection Service” with the relevant Customs and Border Protection address. • A copy of any permits must be attached to the outside of the package. • The declaration must be completed and accurately identify the goods being sent, terms such as ‘gift’ are not appropriate
Air Freight	<ul style="list-style-type: none"> • The goods are to be handed to a courier employed by the freight company. • A signed receipt issued by Customs and Border Protection (e.g. DGMS Release/Transfer Receipt) showing the goods have been handed over to the freight company must be retained by Customs and Border Protection. • Copy of the Consignment Note issued by the freight company is kept by Customs and Border Protection • The Airway Bill should show the sender’s details as “Australian Customs and Border Protection Service” with the relevant Customs and Border Protection address. • A copy of any permits must be attached to the outside of the package • A copy of the Customs and Border Protection Export Declaration. (if applicable).
Sea Freight	<ul style="list-style-type: none"> • The goods are to be handed to a courier employed by the freight company. Alternatively, they can be returned to a depot <u>by Customs and Border Protection</u> for packaging with a consignment of personal effects. • A signed receipt issued by Customs and Border Protection (e.g. DGMS Release/Transfer Receipt) showing the goods have been handed over to the freight company must be retained by Customs and Border Protection. • Copy of the bill of lading issued by the freight company is kept by Customs and Border Protection. • The bill of lading should show the sender’s details as “Australian Customs and Border Protection Service” with the relevant Customs and Border Protection address. • A copy of any permits must be included with the goods. • A copy of the Customs and Border Protection Export Declaration. (if applicable).

Passenger's Baggage	<ul style="list-style-type: none"> • The passenger is to produce the required permits for export (if applicable) • A signed receipt issued by Customs and Border Protection (e.g. DGMS Release/Transfer Receipt, B390) showing the goods have been handed over to the passenger must be retained by Customs and Border Protection. • The goods are to be packed in the passenger's bag in Customs and Border Protection presence and the passenger and baggage is to be escorted to the baggage check in counter. • A Customs and Border Protection Officer is to remain with the passenger until the bags have been checked in by the airline
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DGMS must be updated to reflect re-export has taken place.

Related Policies and References

Practice Statements:

Detained Goods Management 2008/11

Other Instructions & Guidelines

Refer to list on Practice Statement 2008/11

Key Roles and Responsibilities

Account for the secure disposal of goods by re-exporting.

Director Air Cargo Improvement

Director Detained Goods Management

Manager Detained Goods Management

Manager Detained Goods Management Policy

Consultation

Internal

The following internal stakeholders have been consulted in the development of these Instructions and Guidelines.

- Cargo - regional Detained Goods Management work areas
- Trade Policy & Regulation – Import Export Policy
- Cargo - National Manager Air Cargo Operations & Detained Goods
- Cargo – Air Cargo Improvement

External

- Nil

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Approval

Approved on	04 November 2011	
By	Raelene Vivian National Director Cargo	
Review Period	Biennially	

**Detained Goods Management
Re-Export Checklist – Non Firearms**

Goods Declared (if no require re- export approval from line manager)	Yes / No
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Advice received from DEWHA that goods may be re-exported.	Yes / No Not applicable
Identity of the owner/exporter verified or letter of authorisation if being exported by a third party	Yes / No
Overseas address supplied? Destination country must be the same as overseas origin, if not refer to line manager.	Yes / No
Export permits produced and surrendered	Yes / No Not applicable
Import requirements for destination country complied with (if not refer to line manager)	Yes / No Not applicable
Evidence of transfer to the exporting company, (e.g. signed DGMS Release/Transfer receipt, B390)	Yes / No
Exporter's signature & Witness (usually a Customs and Border Protection Officer).	Yes / No
Evidence of export (e.g. Australia Post stamp, Customs and Border Protection stamp, Airway bill).	Yes / No
Export Declaration Number (EDN)	Yes / No Not applicable
DGMS updated to show re-export	Yes / No
Re-export paperwork appropriately filed	Yes / No
Comments	