



Australian Customs and Border Protection Service Practice Statement

FILE No: V2011/024168

Practice Statement No: PS2011/40
Published date: July 2011
Availability: Internal and External

Subject: **Programmed Cargo Examinations**

Purpose: To describe the Customs and Border Protection Service (Customs and Border Protection) programmed examination and intervention strategy in the cargo environment

Owner: National Director Cargo

Category: Operational Procedures

Contact: National Manager Sea Cargo and International Mail

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:

- Customs and Border Protection high level policy on intervention strategies and activities in relation to the examination of cargo.
- The objectives of Customs and Border Protection intervention strategies in relation to the examination of cargo.
- The consistent application of examination standards and guidelines relevant to the examination of cargo.
- The application of technology and equipment in the examination of cargo.
- Customs and Border Protection interaction with industry and other Government agencies.

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

BCS CLASSIFICATION: SM_Policy

FILE NUMBER: V2011/024168

Introduction Statement

The intended policy outcomes of this practice statement are to:

1. Provide guidance to Customs and Border Protection Officers deployed in the Cargo Operations environment; and
2. Enable implementation of nationally consistent guidelines and instructions for Customs and Border Protection examination and intervention of Cargo entering Australia through sea and air ports.

Scope

This practice statement includes information about the following:

- The programmed examination of air and sea cargo;
- Referrals to external agencies and internal Customs and Border Protection areas of matters for possible non-compliance, investigation/prosecution;
- The management of policy and service level agreements with industry to facilitate the examination of sea and air cargo;
- The use of electronic systems to record and capture information relating to our activities and performance.

This practice statement does not include information about:

- The mass screening and examination of imported postal articles;
- The intervention strategy for sea cargo examinations at the Container Examination Facilities or Cargo Examination Facilities (CEFs);
- The intervention strategy for air cargo examinations at air cargo handling facilities including depots and warehouses
- The examination of air passengers' accompanied and mishandled baggage;
- The examination of sea passengers' accompanied baggage.

This Practice Statement applies to staff in the Cargo Operations areas.

Policy Statement

Protecting the Australian community through the interception of illegal drugs and other harmful goods is a high priority for Customs and Border Protection. Sea Cargo Operations contributes to Customs and Border Protection's overall responsibilities through the management of a risk based intervention strategy in the sea and air freight logistics environments through programmed examinations of cargo.

BCS CLASSIFICATION: SM_Policy

FILE NUMBER: V2011/024168

The primary purpose of programmed cargo examinations is to conduct physical checks of sea and air cargo to verify compliance with border and revenue risks. In particular to:

- Conduct examinations in response to taskings from internal clients such as Compliance;
- Inspect and clear unaccompanied personal effects;
- Conduct physical checks of air and sea cargo at air and sea depots, warehouses, High Volume Specialist Operators (HVS0) and importer's/exporter's premises to verify compliance with border risks;
- Foster positive relationships with industry and other government agencies;
- Provide a client interface for the clearance of unaccompanied personal effects; and
- Provide a physical Customs and Border Protection presence at depots, warehouses and HVS0.

This policy and related policies, guidelines and instructions must be complied with by all Customs and Border Protection Officers undertaking intervention activities in relation to sea and air cargo.

This policy must be read in conjunction with legislation, national and regional instructions and guidelines specific to the Customs and Border Protection work areas including relevant occupational health and safety policies. These include but are not limited to:

- The *Customs Act 1901* (and associated Regulations);
- *Customs (Prohibited Imports) Regulations 1956*;
- Customs Strategic Statement
- OHS Legislation, Policy and Guidelines;
- Australian Customs and Border Protection Service Enterprise Agreement;
- Customs and Border Protection Client Service Charter;
- The Australian Customs and Border Protection Service/ AFP Memorandum of Understanding;
- Investigations Referral Guidelines; and
- Customs and Border Protection Corporate and Governance Policies and Guidelines;

BCS CLASSIFICATION: SM_Policy

FILE NUMBER: V2011/024168

Procedural Statement

The programmed examination of targeted cargo is achieved by:

- The physical inspection and examination of cargo by Cargo Examinations staff;
- The use of a range of technologies to undertake the examination with minimal disruption to the movement of legitimate cargo;
- Ensuring Cargo Examinations staff possess the necessary skills and competencies to maintain operational effectiveness;
- Adherence to service level agreements with industry stakeholders;
- Adherence to Customs and Border Protection Client Service Charter in relation to the timeliness of examination;
- Application of all relevant OH&S policies and guidelines; and
- Adherence to relevant Instructions and Guidelines.

Referrals to internal Customs and Border Protection areas and external agencies on matters of possible non-compliance and/or investigation are achieved by:

- The appropriate referral of detections in accordance with the Investigations Referral guidelines and the Customs and Border Protection AFP Memorandum of Understanding;
- Adherence to Instructions and Guidelines relating to post detection activities; and
- Providing statements and attending court when required.

Management of policy and Service Level Agreements with industry to facilitate the examination of cargo is achieved by:

- Regular communication with industry stakeholders;
- Being responsive to changes in industry practice where appropriate;
- Informing industry of changes being introduced by Customs and Border Protection in relation to the sea and air freight logistics environment;
- Responding to feedback from industry stakeholders in a timely manner; and
- Implementing change where appropriate.

Related Instructions and Guidelines

- Conducting a General Cargo Examination
- Collecting Firearms from a Licensed Premises
- Conducting an Auto Parts Examination
- Conducting Commerce Mark Examination
- Conducting Intellectual Property Rights Examination
- Clearing Carnets

BCS CLASSIFICATION: SM_Policy

FILE NUMBER: V2011/024168

- Creating an Exam Advice Client and Cargo Services
- Detection of Suspected Explosives
- Detection and Transfer of Narcotics
- Drawing Samples of Goods That May Contain Asbestos
- Entering details into Examinations Database
- Examining Unaccompanied Personal Effects
- Managing Unidentified Substances
- Procedures for the Detection of false passports, Counterfeit Credit Cards and Other Documents
- Procedures for the Detection of Currency over \$10,000 AUD
- Procedures for the Detection of Quarantine items / AQIS Referrals
- Prohibited Imports and Exports
- Quality Assurance Review Plan – Programmed Cargo Examinations
- Significant Find Reporting Requirements for Customs National Operations Centre (CNOC)

Related Policies and References

- APS Code of Conduct
- Australian Customs and Border Protection Service Manual Volume 5 Import Prohibitions and Restrictions
- Border Targeting Priority Rating Guidelines
- Chief Executive Instructions
- Custodial Firearms Manual
- Customs and Border Protection Health and Safety Management Arrangements (OHS Policy)
- Customs and Border Protection Intelligence Priorities
- Detained Goods Management Policy
- Intervention of Cargo – Programmed Examinations Exports
- National Instructions and Guidelines for Sea Cargo
- National Practice Statement – Detection of Explosives and Explosive Devices

Key Roles and Responsibilities

Policy owner: National Director Cargo
 Information Contact: National Manager Sea Cargo and International Mail

BCS CLASSIFICATION: SM_Policy

FILE NUMBER: V2011/024168

Consultation

Internal

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

- Intelligence and Targeting ;
- Enforcement Operations;
- Cargo;
- Trade;
- Investigations;
- Compliance;
- People & Place.

Approval

Approved on	4 August 2011	
By	Raelene Vivian National Director Cargo Division	
Endorsed on	5 August 2011	
By	Neil Mann DCEO Passenger & Trade Facilitation	

BCS CLASSIFICATION: SM_Policy

FILE NUMBER: V2011/024168