



AUSTRALIAN CUSTOMS SERVICE PRACTICE STATEMENT

FILE NO: 2008/007535-01

PRACTICE STATEMENT NO: PS 2008/33
PUBLISHED DATE: 24 July 2008
AVAILABILITY: Internal and External

SUBJECT: Customs Air Border Security
PURPOSE: To provide a high level policy overview of Customs Air Border Security function.

APPROVING OFFICER: National Director Passengers

CATEGORY: Operational Procedures (OP)

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SUMMARY OF MAIN POINTS

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

- The policies relating to the functions performed by Customs Air Border Security officers at Australia's international airports.

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

STATEMENT

Introduction Statement:

The Air Border Security (ABS) function meets the important border protection and aviation security responsibilities that Customs has at international airports to detect and deter the illegal movement of goods and people across the border and to prevent unlawful interference with aviation security.

Context and Scope

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The context of this practice statement encompasses the high-level policy framework of ABS specific functions at international airports including aircraft searches, patrols, operations, intelligence gathering, and working with the Australian Federal Police (AFP) Airport Police Command to disseminate intelligence/information and detect unlawful activity at the border. It does not include aviation security functions administered by the Office of Transport Security (OTS).

Policy Statement

Customs presence in airports and seaports derives from our community protection role. Whether on our own behalf or on behalf of other agencies, we are there to support legitimate travel, the interventions needed to detect the illegal movement of people and the goods they bring across the border, and the collection of associated revenue.

Procedural Statement

ABS carries out its functions using the powers granted to Customs officers under the *Customs Act 1901* (The Act) and Part V, Division 3A of the *Aviation Transport Security Act 2004* (ATSA).

Using these powers ABS officers may board and undertake physical search of an aircraft to determine whether prohibited or restricted goods have been concealed. ABS officers may also require persons found on an aircraft, such as passengers, crew or airport workers, to answer questions and produce documents in their possession relating to the aircraft, the flight and cargo, aircraft stores, crew and passengers, and their official capacity in Customs restricted areas. During the physical search of an aircraft, ABS officers may use other detection tools such as Customs drug detector dogs, closed circuit television (CCTV) and illicit drug trace detection equipment to assist in their activities.

Operations are undertaken by ABS officers and may involve physical patrols, use of CCTV technology, and the examination of passenger and crew baggage to identify and respond to the suspected illegal movement of goods by airport workers and the illegal movement of dutiable, prohibited or restricted goods across Australia's border.

ABS officers patrol the airside environment to check that only those persons with a *bona fide* reason and authorisation are within the airside environment. Under the ATSA, Customs officers may request a person to present such authorisation for inspection to assist them identify risks to border security and to safeguard against unlawful interference with aviation.

ABS also collect and disseminate information and intelligence to other law enforcement agencies (such as the structure of airside operations and airport workers, the identification and referral of suspected criminal activity for further investigation by Customs or the AFP), and provide assistance through Joint Airport Investigations Teams and Joint Airport Intelligence Groups (JAIT /JAIG) for joint operations with the AFP.

ABS officers may also conduct awareness sessions for airport workers to inform them of their responsibilities while working in the airport environment. Recent amendments

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FILE NUMBER: 2008/007535-01

to the ATSA provide eligible, that is appropriately trained, Customs officers with enhanced powers to stop and search persons and vehicles, remove persons and vehicles and restrain persons for the purposes of safeguarding aviation.

RELATED INSTRUCTIONS AND GUIDELINES

Aircraft Search
Targeted Operations
Tarmac Patrol
Liaison with Airport Police
Airside Inspection
Interception of Suspected Movement of Goods by Airline employees
Airline Security Inspections
Dealing with Goods Subject to Customs Control
Response to a Detected Breach
Requirements for Identifying Information from ASIC Holders

RELATED POLICIES AND REFERENCES

Customs Administration Act 1985
Customs Act 1901
Customs Regulations 1926
Customs (Prohibited Exports) Regulations 1958
Customs (Prohibited Imports) Regulations 1956
Aviation Transport Security Act 2004

KEY ROLES AND RESPONSIBILITIES

Customs policy responsibility rests with the Passenger Policy Section of the Passenger Operations Branch, Passengers Division.

The Director Passenger Policy is responsible for the provision of operational policies and practices for the ABS function. Airport Operations North and South are responsible for ensuring the efficient and effective delivery of the function in the major international airports

OTS is responsible for regulating aviation security.

The AFP Airport Police Command is responsible for airport policing and security functions.

CONSULTATION

Industry Consultation

Not Required

External Consultation

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Office of Transport Security – Department of Infrastructure, Transport, Regional
Development and Local Government
Australian Federal Police

Internal Consultation

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

Airport Operations North
Airport Operations South
Strategic Development (Passengers)
Intelligence Branch
Border Targeting Branch

APPROVAL

Approved on 8 July 2008 by:

Jan Dorrington
National Director Passengers

ENDORSED

Endorsed on 10 July 2008 by:

Sue Pitman
A/g DCEO Passengers and Trade Facilitation

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