

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
AUSTRALIAN CUSTOMS SERVICE

Question No. 198

Senator Ludwig asked the following question at the hearing on 24 May 2005:

In the 2004-05 budget, that the Department of Transport and Regional Services seems to be partially funding a number of ACS programs:

- an additional \$48.0 million over four years to increase the rate of container examination at the Australian Customs Service container x-ray facilities in Sydney, Melbourne, Brisbane and Fremantle;
- enabling Customs to board more vessels at the first port of arrival in Australia at a cost of \$9.3 million;
- extending the Customs closed circuit television network from 32 ports to 63 ports at a cost of \$17.0 million over four years;
- posting specialist immigration officials to ports to assist with border control at a cost of \$12.3 million over four years;

a) Could you provide the exact amounts that are being funded out of DoTARS and the amount out of ACS?

b) Why is DoTARS funding Customs projects?

The answer to the honourable senator's question is as follows:

- a) On 20 July 2004 the Government announced increased funding to facilitate enhanced maritime security initiatives. The Australian Customs Service (Customs) was directly provided with the following additional funds for these initiatives:
- \$57.5 million over four years to fund a 25 per cent increase in the rate of container examinations at Customs facilities in Melbourne, Sydney, Brisbane and Fremantle;
 - \$9.3 million over three years for first port boarding;
 - \$17.4 million over four years for the extension of Customs closed circuit TV system to an additional 31 ports; and
- b) The funding for these initiatives was provided directly to Customs. The Department of Transport and Regional Services is not funding Customs Projects.

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Question No. 199

Senator Ludwig asked the following question at the hearing on 24 May 2005:

- a) What is the total amount that Customs has been awarded in orders from prosecutions from 1999-2005?
- b) Of this amount, how much has been recovered to date (please also provide a year-by-year breakdown)?
- c) Of this amount, how much has been written off (as in Customs do not expect to recover)?
- d) How much has Customs spent in attempting to recover these orders?
- e) Does Customs do this on a cost-benefit basis?
- f) How many of the prosecutions have been successfully appealed?
- g) How much was spent in fighting those appeals?
- h) Has Customs had to refund any money recovered during those dates, for any reason (please provide amount and breakdown of reasons)?

The answer to the honourable senator's question is as follows:

- a) The amount awarded in Orders from prosecutions initiated by the Investigations branch on a national basis from 1 July 1999 to 30 June 2005 was \$36.3M.
- b) The total amount recovered from 1 July 1999 to 30 June 2005 was \$10.05M being: -
 - \$1.75M from 1 July 1999 to 30 June 2000,
 - \$1.07M from 1 July 2000 to 30 June 2001,
 - \$1.89M from 1 July 2001 to 30 June 2002,
 - \$2.35M from 1 July 2002 to 30 June 2003,
 - \$0.74M from 1 July 2003 to 30 June 2004,
 - \$2.25M from 1 July 2004 to 30 June 2005.
- c) The total amount written off from 1 July 1999 to 30 June 2005 was \$8.08M
- d) The information required to answer this question is not readily available and would require a significant diversion of resources to provide the requested material.
- e) Prosecution debt is not assessed on a normal commercial basis because of the punitive nature of the debt. Debts are written off on bankruptcy or when the debtors are known to have left the country or are otherwise unable to pay.
- f) Refer to answer provided under d) above.
- g) Refer to answer provided under d) above.
- h) During the period 1 July 1999 to 31 May 2005, there is a record of \$200 being refunded in the 2002-2003 financial year. The reason for this refund is not recorded.