

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN CUSTOMS SERVICE

Question No. 36

Senator Siewert asked the following question at the hearing on 26 May 2008:

Court case on the import of honey:

- a) Who was found guilty, and what penalty was applied?
- b) Were costs awarded against those who were found guilty?
- c) Did the Government fully recover their legal costs?
- d) Does Customs believe that the penalty applied was adequate to cover the seriousness of the offence?
- e) Does Customs consider that the penalty was significant enough to actually discourage people from doing it again, considering the seriousness of the offence?

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

(a)

Entity	Penalty (excl. costs and disbursements)
CHS Enterprises	\$7,000
Robert HU	\$5,000
AK Unicargo	\$134,450
Pia LAM	\$130,450
Hui Ming Jing	\$129,200

(b) Costs were awarded jointly against:

- Robert HU and CHS Enterprises; and
- Pia LAM and AK Unicargo

(c) Customs was awarded approximately 70% of legal costs.

(d) The total penalty awarded was \$582,400 (including costs). This sum reflects the seriousness of such an offence.

(e) Penalties and costs is a matter for the Courts. Customs considers that these penalties and the costs awarded will discourage other persons from pursuing similar courses of action.