

CHAPTER 1

INTRODUCTION

Background

1.1 On 30 March 2006, the Senate referred the provisions of the Customs Legislation Amendment (Border Compliance and Other Measures) Bill 2006 (the Bill) to the Senate Legal and Constitutional Legislation Committee for inquiry and report by 2 May 2006. On 2 May 2006, the committee resolved to extend the reporting date until 4 May 2006.

1.2 The Bill seeks to amend the *Customs Act 1901* (Customs Act) to:

- allow the Chief Executive Officer (CEO) of Customs or a Regional Director for a state or territory¹ to dispose of goods seized by Customs, if the CEO or Regional Director is satisfied that the retention of the goods would constitute a danger to public health or safety (Schedule 1);
- allow a Customs officer to restrict access by holders of a security identification card to section 234AA places, ships, aircraft and wharves (Schedule 2);
- make technical corrections to provisions implementing the Australia-United States Free Trade Agreement (Schedule 3);
- allow authorised Customs officers to request from issuing authorities updated required identity information in relation to security identification cards (Schedule 4);
- implement an Accredited Client Program to enable importers meeting the accreditation requirements to utilise streamlined procedures for the importation of goods (Schedule 5);
- confer protection from criminal responsibility for Customs officers handling narcotics in the course of duty, and for persons who handle narcotics on instructions from Customs officers acting in the course of duty (Schedule 6); and
- re-make a previous misdescribed amendment to the Customs Act (Schedule 7).

Conduct of the inquiry

1.3 The committee advertised the inquiry in *The Australian* newspaper on 4 and 12 April 2006, and invited submissions by 18 April 2006. Details of the inquiry, the

1 A Regional Director for a state or territory is a reference to the principal officer of Customs for that state or territory: *Customs Act 1901*, para 8(1)(b).

Bill, and associated documents were placed on the committee's website. The committee also wrote to 29 organisations and individuals.

1.4 The committee received seven submissions which are listed at Appendix 1. Submissions were placed on the committee's website for ease of access by the public.

1.5 The committee held a public hearing in Sydney on 27 April 2006. A list of witnesses who appeared at the hearing is at Appendix 2 and copies of the Hansard transcript are available through the Internet at <http://aph.gov.au/hansard>.

Acknowledgement

1.6 The committee thanks those organisations and individuals who made submissions and gave evidence at the public hearing.

Note on references

1.7 References in this report are to individual submissions as received by the committee, not to a bound volume. References to the committee Hansard are to the proof Hansard: page numbers may vary between the proof and the official Hansard transcript.