

CHAPTER 1

INTRODUCTION

Background

1.1 On 7 December 2006, the Senate referred the Customs Legislation Amendment (Augmenting Offshore Powers and Other Measures) Bill 2006 to the Senate Standing Committee on Legal and Constitutional Affairs for inquiry and report by 8 February 2007.

1.2 The Bill proposes to amend the *Customs Act 1901* to:

- augment the powers for Customs officers to conduct searches and seize items immediately after boarding a ship or aircraft for border enforcement purposes;
- update provisions relating to duty recovery and payments of duty under protest;
- update provisions relating to employment arrangements for customs brokers; and
- enable passenger declarations to be made electronically under the SmartGate system and to introduce penalties for the making false declarations.

Conduct of the inquiry

1.3 The committee advertised the inquiry in *The Australian* newspaper on 12 December 2006, and invited submissions by 19 January 2007. Details of the inquiry, the Bill and associated documents were placed on the committee's website. The committee also wrote to almost 160 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 Canberra on 22 January 2007. Witnesses who appeared at the hearing are listed at Appendix 2. 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.