



Approved form for the purposes of section 81B of the *Customs Act 1901*.

Please open this form using Adobe Acrobat Reader. Either type in the fields provided or print this form and complete it using a pen and BLOCK LETTERS.

Tick where applicable

About this variation application form

Under Section 81B of the *Customs Act 1901* (the Customs Act) the Comptroller-General of Customs (Comptroller-General) may, on application by the holder of a warehouse licence, vary the licence by:

- a) omitting the description of the place that is described in the licence and substituting a description of another place; or
- b) altering the description of the place that is described in the licence.

Under subsection 81B(2) of the Customs Act, the warehouse licence holder must apply for the variation in writing. Under subsection 81B(4), the Comptroller-General must not vary a licence if, in the Comptroller-General's opinion the physical security of the warehouse would not be adequate, having regard to the nature of the place, or the procedures and methods, including kind/quantity of goods, equipment and records, that would be adopted to ensure the security of the goods in the place.

All questions must be answered in a comprehensive manner. (Any misleading information could jeopardise the grant of the variation).

Any personal information contained in this form will be collected, used, stored and disclosed by the Australian Border Force (ABF) in accordance with the Australian Privacy Principles in Schedule 1 of the *Privacy Act 1988*. Further information regarding how the ABF handles personal information can be found in the Department of Home Affairs' (the Department) Privacy Policy www.homeaffairs.gov.au/access-and-accountability/our-commitments/privacy or by contacting the Department's Privacy Help Desk by email privacy@homeaffairs.gov.au.

1. About the applicant

If the proposed variation to the warehouse licence will result in changes to personnel participating in positions of management or control of the warehouse, you are required to notify the Comptroller-General within 30 days. The individuals nominated will be required to establish their identity through a 100 point check and will be subject to police and other background checks. The information is used to satisfy the requirement that all persons participating in the management or control of the warehouse are 'fit and proper' for the purposes of section 81 of the Customs Act.

Applicant's full name	ABN (if applicable)	
Street address (do not use post office box)	State	Postcode
Address for correspondence (if different to street address)	State	Postcode
Contact person's name	Contact number	
Email		

2. About the proposed variation

Under subsection 81B(5) the Comptroller-General will take into consideration the proximity of the proposed warehouse to the nearest ABF office when determining whether to grant the application.

Current name of the warehouse	Proposed name by which the warehouse is to be known
Establishment code	Licence number
Current warehouse address	

2.1 Are the proposed premises owned or leased by the applicant?

Owned If Owned, provide evidence of ownership

Leased If Leased provide details of the lease (*If insufficient space, attach additional details*)

2. About the proposed variation continued...

2.2 Is it proposed that the postal and/or location address of the warehouse would change?

No Yes If Yes, provide the new address

2.3 Will the warehouse be located more than 40 kilometres from the nearest ABF office?

No Yes

2.4 What are the proposed physical changes to the warehouse? *(If insufficient space, attach additional details)*

2.5 Describe the security, layout and construction of the proposed warehouse (Example: Floor to ceiling cyclone wire fence).
References to buildings or locations of interest should be identified on the plan (see Point 3 "Plan of proposed licensed warehouse").
(If insufficient space, attach additional details)

2.6 Is asbestos present in the building(s) within the proposed licensed area?

In accordance with Workplace Health and Safety Guidelines, you are required to notify the ABF of the presence of this substance in the workplace.

No If No, you must provide evidence (Examples: Occupancy Certificate or Asbestos Report)

Yes If Yes, provide details *(If insufficient space, attach additional details)*

2.7 Will there be any physical security changes?

No Yes If Yes, provide responses to (a) and (b) below *(If insufficient space, attach additional details)*

(a) Describe the physical security of the proposed warehouse.

(Examples: Alarm systems, security patrol service, description of perimeter fencing, and/or exterior lighting)

(b) Nominate the person who may be contacted by the ABF to gain after hours access.

Contact person's name

Contact number

Email

2.8 Is any area on the premises on which the proposed warehouse is located licensed under section 77G of the Customs Act as a licensed depot?

No Yes

3. Plan of the proposed licensed warehouse

Please provide two (2) copies of a certified plan:

(a) Outline the proposed variation to the warehouse area in red. Plans may be prepared by hand but must be to scale. Dimensions on the plan must be in metric measurements.

If variation is for change of address, please provide full plans (as detailed in the *Section 79 Warehouse Application Guide* detailing security, parking, fences etc.

(b) The plan should include the following details:

- entrance(s) to the premises in cases where the whole of the premises is proposed to be licensed, otherwise the entrance to the area to be licensed as a warehouse.
- storage sheds and other buildings within the proposed licensed warehouse and their purposes.
- the ABF's examination area.
- if the premises include an area licensed under section 77G of the Customs Act as a depot, indicate the location of this licensed area.

(c) An authorised official of the business should endorse the plan with the following statement (handwritten or typed on the actual plans):

"I hereby certify that this is a correct plan of the place proposed to be covered by a warehouse licence at (insert street address) operated by (insert name of warehouse licence holder) and referred to in the application for an amended warehouse licence dated (insert date).
I also certify that the area bounded in red is the area of the proposed licensed warehouse."

The authorised official should sign the site plan, including their full name, designation/position title and the date of signature.

4. Changes to Company membership and persons who participate in the management or control of the warehouse

The applicant and all persons in positions of management or control are required to be fit and proper. The ABF considers a person to be in management or control if they:

- have authority to direct operations or activities at a warehouse;
- are involved in, or have an influence over, the policies and procedures of the warehouse; or
- direct the receipt or release of goods at a warehouse.

A person is considered to be in management irrespective of whether their role is active or passive; and whether they are physically located at the warehouse.

This include all directors, managers and customs brokers on site and includes (but not limited to) employees with:

- the authority to direct operations and/or release cargo;
- access to the ICS; or
- after hours access.

Full name	Position	Contact number	Email address

If insufficient space, attach additional details

5. Warehouse recording systems

Will your record keeping procedures and systems change?

No Yes If Yes, provide details of the proposed changes (*If insufficient space, attach additional details*)

6. Quantity of goods stored

Will the quantity, type or value of the goods change? If so, provide details of the change as this may result in a requirement to increase the financial security if the duty liability increases?

No Yes If Yes, provide details of the proposed changes (*If insufficient space, attach additional details*)

Certification

I hereby I hereby apply for the Warehouse Licence set out in section 2 to be varied by substitution/alteration of the place described in the licence in accordance with section 81B of the Customs Act. I certify that the information contained in this application, which consists of the following attachments, is true and correct:

- Attachment A: Copy of a certified plan in accordance with Point 3 "Plan of proposed licensed warehouse", and
- other attachments as required.

Signed in accordance with the business's Partnership Agreement or company's Constitution		Date / /
Name	Designation / Position title	

Submitting this form

When the application form and requested attachments have been completed, please submit your application to:

Australian Border Force
Customs Licensing
GPO Box 9984
SYDNEY NSW 2001
Email: licen@abf.gov.au

On receipt of your application you will be invoiced for the \$300 warehouse licence variation application fee. Processing of your application will only commence once the invoice is paid.

You will be advised in writing should the Comptroller-General require further details in relation to this application for variation. Should no further information be required, you will be advised within 60 days after the receipt of this application, whether this application has been approved. If you have not had a response within 60 days, after the receipt of this application, the application is deemed refused.