PRACTICE STATEMENT

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Title: Inspection and Examination of Sea Cargo
Purpose: To detail the process for the examination and inspection of imported and exported sea cargo at Container and Cargo Examination Facilities (CEF)
Owner: Commander Strategic Border Command/FAS Major Capability
Category:    ABF
Sub-Category: CEF
Contact: National CEF ISO Coordinator, Cargo Capability

Summary of Main Points
Department of Immigration and Border Protection Practice Statements are endorsed policy that all Departmental employees must follow. This Practice Statement outlines:

- high level policy and objectives for the inspection and examination of sea cargo
- application of examination standards and guidelines relevant to sea cargo
- application of technology and equipment in the examination of sea cargo
- interaction with industry and other Government agencies
- ISO 9001-2008 Quality Management System certification

The electronic version published on the Practice Statement Framework SharePoint site, accessible through the Intranet, is the current Practice Statement
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Introduction Statement

The purpose of this Practice Statement is to ensure parties involved in the import and export of sea cargo are aware of the purpose and operations of the Australian Border Force (ABF) and Cargo Examination Facilities. This Practice Statement provides policy guidance to Immigration and Border Protection workers in the sea cargo environment, driving consistent processes and documentation for the inspection and examination of sea cargo coming into and leaving Australia.

Scope

The Practice Statement covers the processes at Container and Cargo Examination Facilities (CEFs) from the time sea cargo enters the CEF to the time it exits the CEF. This Practice Statement includes information and policy about the following:

- the targeted examination of high risk sea cargo
- referrals to external agencies and internal ABF or Departmental areas of matters for further action
- the use of electronic systems to record and capture information relating to CEF activities and performance
- facilitation and protection of legitimate trade
- management of service level agreements with service providers to facilitate the examination of sea cargo
- CEF Quality Management System.

This Practice Statement applies to staff in the following areas:

- Container Examination Facilities in Brisbane, Fremantle, Melbourne and Sydney
- Cargo Examination Facilities in Adelaide, Darwin, Newcastle, and Townsville.

Policy Statement

The ABF operates Container Examination Facilities (CEFs) in Melbourne, Sydney, Brisbane and Fremantle and Cargo Examination Facilities (CEFs) in Adelaide, Darwin, Townsville, and Newcastle.

CEFs have been designed to address a full range of border risks, including counter terrorism and drugs. The primary function of CEFs relates to intervention at the border to prevent the import or export of narcotics, precursor chemicals, weapons, Intellectual Property Right (IPR) infringements and other prohibited goods, and to control the movement of restricted goods in accordance with ABF and Departmental policies, practices and objectives.

All of the CEFs operate on the basis that all sea cargo entering and leaving Australia is risk assessed and the ABF intervenes to inspect high risk cargo.

1. CEFs Activities

1.1. CEFs key activities

1.1.1. The CEF key activities include:

- screening, x-ray and physical examination of cargo containers and other sea cargo
provision of support to industry to ensure that legitimate cargo is facilitated across the Australian border including the timely clearance of sea cargo through the inspection/examination process

- detection and referrals to external agencies and internal ABF and Departmental areas of matters for possible investigation/prosecution
- post detection activity in response to identified non-compliance.

1.1.2. ABF examines many forms of sea freight, however the majority of cargo inspected and examined at CEFs is in the form of containerised cargo, measured in twenty foot equivalent units (TEU).

1.1.3. CEF activities are linked to Portfolio Budget Statement (PBS) throughput targets that provide CEFs with the capacity to inspect all high risk cargo and a range of lower risk cargo, while facilitating the movement of legitimate trade.

1.1.4. All CEFs combine x-ray inspection with physical examination and a range of other technologies.

1.2. **Targeted examination**

1.2.1. The targeted examination of high risk cargo is achieved by:

- adherence to ABF Targeting priority guidelines
- adherence to ABF and Departmental Client Service charter in relation to the timeliness of examination and release of cargo where no illicit or illegal activity is detected
- ensuring Sea Cargo operations staff possess the necessary skills and competencies to maintain operational effectiveness, including the application and use of available technology
- adherence to relevant ABF and Departmental Instructions and Guidelines and relevant Work Health & Safety policies and guidelines.

1.3. **Referrals**

1.3.1. Referrals to external agencies and internal ABF and Departmental areas for further action are achieved by:

- application of the Investigations Referral guidelines and the ABF/AFP Memorandum of Understanding
- adherence to Instructions and Guidelines relating to post detection activities
- provision of statements and attendance at court when required.

1.4. **Use of electronic systems**

1.4.1. The use of electronic systems to record and capture information relating to our activities and performance is achieved by:

- operational responsibility and requirement for recording and reporting sea cargo examination activities in EXAMS
- adherence to relevant ABF Instructions and Guidelines.
1.5. Facilitation and protection of legitimate trade

1.5.1. The facilitation and protection of legitimate trade is achieved by:

- the use of an intelligence-led risk based approach to targeting cargo
- completing the vast majority of risk assessments for cargo within 24 hours of all the required information being provided
- using flexible logistics arrangements with Stevedores and contracted service providers to minimise delays and additional costs to industry
- advising industry where there are significant delays in inspecting cargo at its CEFs of the delays through: an email advice; a notice to ICS users; a message on the ICS website; or advice to industry associations to let their respective members know
- documented procedures for the operations of CEFs
- regular external and internal auditing program to test compliance with legislative requirements and procedures
- a complaints process that allows public access to stakeholders to seek redress for undue delays to cargo clearance
- detention and seizure of goods from non-compliant importers and exporters.

1.6. Management of service level agreements

1.6.1. Management of service level agreements with industry to facilitate the examination of sea cargo is achieved by:

- managing the prioritisation of containers targeted for inspection at the CEFs
- managing movement of containers and other types of cargo to and from the CEFs
- managing the provision of labour to assist with the physical examination of goods at the CEFs
- communication with industry stakeholders
- being responsive to changes in industry practice
- informing industry of proposed changes by ABF in relation to the sea cargo logistics environment
- responding to feedback from our stakeholders in a timely manner.

1.7. AS/NZ ISO 9001-2008 Quality Management System certification

1.7.1. To meet the stringent radiation safety standards imposed by the Australian Radiation Protection and Nuclear Safety Agency for the x-ray systems, the CEFs situated in Melbourne, Sydney, Brisbane, Fremantle and Adelaide are certified under the AS/NZS ISO 9001:2008 Quality Management System standard for quality management systems, Certificate Number QEC20436.

1.7.2. The ISO 9001-2008 Quality Management System certification is achieved by:

- a commitment to maintaining and continually improving the effectiveness of CEFs quality management systems in accordance with the requirements of this International Standard to recognise customer requirements, continually improve existing
processes/services, identify deviances from accepted practice and implement strategies to produce high quality outcomes.

1.7.3. The Quality Management system is also applied in Cargo Examination facilities in Newcastle, Townsville and Darwin although these sites are not required to be certified.

1.7.4. The CEF quality management system covers the processes and procedures for the inspection and examination of imported and exported sea cargo from the time sea cargo enters the CEF to the time it exits the CEF – “gate in to gate out”.

1.7.5. The CEF Quality Objectives and Risk Assessments are stated in the Cargo Operations Branch Plan. While each CEF is responsible for the day to day operations and services delivered, some processes such as Complaint Handling are managed by Cargo Improvement Team, Canberra.

1.7.6. CEFs statements of a quality policy are listed in the Departmental Annual Plan, Divisional Business Practice statements, CEF Branch Plan and in this Practice Statement.

2. Related Policies and References

2.1. Instructions and Guidelines

- Managing the Quality Management System
- Auditing and Monitoring
- Performance Measures and Clients
- Document Control and Record Management
- Control of Nonconformity, Continual Improvement & Corrective/Preventative Actions
- Purchasing and Supplier Evaluation
- Complaints Handling Procedures
- Detection and Identification Technologies Instructions and Guidelines
- Other Guidelines and Instructions related to CEFs operations

2.2. Related Documents

- Public Service Act 1999
- Freedom of Information Act 1982
- Work Health and Safety Act 2011 (Cth)
- Australian Radiation Protection and Nuclear Safety Act 1998
- Australian Radiation Protection and Nuclear Safety Regulations 1999
- Detection and Identification Technologies Practise Statements
- CEF Targeting and Inspection Arrangements Paper
- Other Sea Cargo Related Customs and Border Protection Practice Statements
3. Consultation

3.1. Internal Consultation

3.1.1. The following internal stakeholders have been consulted in the development of this Practice Statement:

- CEF Managers
- Cargo Capability

3.2. External Consultation

3.2.1. No external consultation was required for the development of this Practice Statement

Endorsement

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| By          | Raelene Vivian  
National Director Cargo and Trade | |

Approval

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</table>
| By          | Marion Grant  
DCEO Border Management | |
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