



Australian Government
Department of Immigration
and Border Protection

Questions on Notice

Inquiry into Non-Conforming Building Products

Senate Standing Committee on Economics

October 2017

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QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/018) – Air and Sea cargo policy and procedures manuals -

Asked:

Provide a copy of the policy and procedures manual for ABF officers working in both the air and sea cargo inspection teams.

Answer:

The *Management of Asbestos at the Border Procedural Instruction* covers the procedures for the inspection and examination of imports and exports for asbestos purposes. This document contains protected information that cannot be disclosed to the general public.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/019) – Total staff numbers by location -

Asked:

Provide number of DIBP staff/ABF officers assigned to inspect air and sea cargo by base location, warehouse or port.

Answer:

The information requested is operationally sensitive and is not suitable for public release.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/020) – step by step asbestos identification process -

Asked:

Outline the step-by-step the process ABF officers follow when identifying that an item needs to be tested for asbestos.

Answer:

The Australian Border Force (ABF) applies an intelligence based risk led approach to targeting. Goods that are identified as an asbestos risk through the targeting process are held at the border for further intervention. From there the following steps occur:

1. The ABF requests documents from the owner of the goods seeking additional information about the goods and written assurance that the goods do not contain asbestos to enable further assessment of the risk. Where the documents and assurance provided alleviate any concerns of asbestos, the asbestos related holds on the goods will be lifted without examination.
2. Where the documents provided do not alleviate concerns, or the assurance document is insufficient, the ABF will require the goods to be subject to an examination.
3. The owner of the goods is notified in writing of the requirement for an examination and instructed to engage a competent person and National Association of Testing Authorities, Australia (NATA) accredited laboratory to undertake sampling and testing as part of the examination. The owner is also advised that the costs associated with the examination will be borne by them.
4. The cargo must be examined at a licensed depot. The ABF also advise the licensed depot that there is a container being held on their premises that may contain asbestos and the container must remain sealed until a competent person is present to assess the risk.
5. Upon confirmation from the owner that they have engaged a NATA accredited laboratory, the ABF undertake checks to confirm the laboratory is appropriately accredited for the purposes of asbestos testing.
6. The ABF then supervise the examination and record the removal of samples by the competent person. The NATA accredited laboratory is required to provide the testing report directly to the ABF upon completion of the report to enable the ABF to either release or seize the goods and consider penalty action.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/021) – ABF legal powers to seize consignments -

Asked:

Please detail the Department of Immigration and Border Protection/Australian Border Force's legal power to seize shipping consignments for asbestos testing.

Answer:

Goods can be seized under the *Customs Act 1901* if they are forfeited to the Commonwealth, including if they are prohibited imports. Seizure is not done in order to test an imported consignment for asbestos. That is not a valid legal reason for seizure.

Rather, if an imported consignment is suspected by the Australian Border Force (ABF) to contain asbestos, officers will not grant authority to take the consignment into home consumption (ie will not clear the goods) until or unless it has been tested and cleared of asbestos, or the ABF is otherwise satisfied that the consignment does not contain asbestos.

Section 186 of the *Customs Act 1901* provides that goods under customs control may be examined by an officer, or another person as arranged by an officer, and the cost of the examination will be borne by the owner. Such examination can include the taking and testing of samples. Imported goods are generally under customs control from when they are imported until they are delivered into home consumption in accordance with an authority (ie a clearance), see s.30. It is section 186 that provides the legal power to examine any goods under customs control before they are cleared, including any building products that may contain asbestos.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/022) – Section of Customs Act -

Asked:

Which part of the Act do ABF officer operate within to check air and sea cargo?

Answer:

Section 186 of the *Customs Act 1901* provides for the examination of goods under customs control.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/023) – Consignment testing - time -

Asked:

How long does it take to test a consignment for asbestos?

Answer:

See NCBP/027.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/024) – Consignment testing - process -

Asked:

What is the process a consignment will follow when it has been identified as needing to be tested for asbestos i.e. the process from identification, to testing and clearance or confiscation of a consignment

Answer:

See NCBP/020.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/025) – Customs Act - powers of ABF officers -

Asked:

Outline the powers that can be exercised by ABF officers under the Act.

Answer:

The following is an outline of the main powers that may be exercised by ABF officers under the *Customs Act 1901* in relation to consignments of building products suspected to contain, or which do contain, asbestos.

Clearance and Examination Powers

All imported goods must be cleared for entry into home consumption.

For consignments with a customs value of \$1,000 or more (which would include almost all commercial importations of building products) an import declaration is required : s.68.

Upon receipt of an import declaration, officers may either clear the goods by granting an authority to deal, or direct that the goods are to be held at their location, or are to be examined : s.71C. If the goods are suspected to contain asbestos they will not be granted an authority to deal. If an authority to deal is granted, it can still be cancelled before the goods are taken into home consumption.

Commercial documents or other information can be requested by an officer in relation to the goods, and an authority to deal refused until satisfied of relevant matters (including that the goods do not contain asbestos) : s.71DA.

Goods under customs control may be examined by officers, or by other persons as arranged by officers, including by taking samples for testing, and the cost of the examination is to be borne by the owner : s.186. Imported goods are under customs control from when imported until delivered into home consumption in accordance with an authority to deal: s.30.

Offences and related powers

If imported goods are found to contain asbestos, then they are a prohibited import.

Importing a prohibited import, and possession of a prohibited import, are strict liability offences, punishable upon conviction by a penalty for an individual not exceeding three times the value of the goods, or if the value cannot be determined, 1,000 penalty units : sections 233 and 233AB. The maximum penalty for a corporation is five times those amounts.

Prohibited imports and evidential material in relation thereto may be seized by officers without a warrant if found at a customs place (which includes airports, ports, wharfs, licenced depots and licenced warehouses) : s.203B.

Prohibited imports and evidential material in relation thereto may also be seized by officers pursuant to a judicial warrant : sections 203 and 203A.

Officers authorised by the Comptroller-General of Customs may issue an infringement notice for the strict liability offences of importing or possessing a prohibited import : s.243X *Customs Act 1901* and regulations 133-143 *Customs Regulation 2015*. If the infringement notice is paid, that does not involve an admission of guilt, and the person may not be prosecuted for the offence.

Under section 210 officers have power to arrest a person without warrant if the officer believes on reasonable grounds that the person has committed or is committing certain offences, including the prohibited import offences in s.233. The arrest power is subject to the restriction that dealing with the matter by summons will not achieve certain purposes, including ensuring that the person will appear before a court, preventing a further offence, or preventing the destruction of evidence.

The Comptroller-General of Customs, or a delegate, may institute a customs prosecution of the offences of importing or possessing a prohibited import : s.245. Customs prosecutions are done in the name of the Comptroller-General of Customs, but are practically done by the Australian Government Solicitor under instructions from ABF officers. Only offences under the Customs Act which are punishable by a pecuniary penalty, and are not punishable by a term of imprisonment, may be made the subject of a customs prosecution. That includes the prohibited import offences in s.233.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/026) – Consignment testing - costs -

Asked:

Who bares costs related to holding consignments whilst testing for asbestos takes place?

Answer:

Section 186 of the *Customs Act 1901* prescribes that the expense of the examination, including the cost of removal to the place of examination, shall be borne by the owner.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/027) – Consignments held - average time over last 5 financial years -

Asked:

What is the average number of days a consignment was held in:

- o 2012-13
- o 2013-14
- o 2014-15
- o 2015-16
- o 2016-17

Answer:

The figures available refer to the 2017 calendar year.

2012-13: Not available

2013-14: Not available

2014-15: Not available

2015-16: Not available

2016-17: Available for 2017 calendar year

2017 Year to Date (1 January 2017 – 5 October 2017)

- For consignments where ABF officers are able to acquit an asbestos profile match without further information required from the importer the average is: 3 days
- For consignments where importers/brokers are requested to provide documentary evidence that the goods do not contain asbestos the average is: 6 days
- For consignments where importers are directed to arrange for sampling and testing and there is a negative result the average is: 19 days
- For consignments where importers are directed to arrange for sampling and testing and there is a positive result the average is: 41 days

Notes:

- The averages are based on the number of days from when a consignment matches an asbestos profile to when it is manually acquitted by an ABF officer.
- Goods with positive results are not released into home consumption.
- Data for previous years is not available.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 03 October 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/028) – Consignments held - longest time -

Asked:

What is the longest period of time a consignment has been held?

Answer:

In relation to asbestos, a consignment targeted for further assessment remained under customs control for 121 days in 2017. This consignment was held for an unusually long time as the importer's representative failed to respond to a direction to provide certification to the Australian Border Force that the goods did not contain asbestos.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/029) – Consignment testing - time limit -

Asked:

Is there a limit as to how long DIBP/ABF can hold a consignment whilst asbestos testing takes place?

Answer:

There is no time limit for how long goods can be held at the border pending asbestos testing.

The ABF will continue to hold goods until all asbestos concerns are alleviated through written assurance or examination and testing.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/030) – consignments held - legal action -

Asked:

Can legal action be taken against DIBP if a consignment is held for longer than the notified period?

If yes, outline the section of the Act or provide a copy of the policy and procedures document that allows this.

Answer:

There is no notified period.

Imported consignments can be held indefinitely if suspected to contain asbestos, or otherwise suspected to be a prohibited import, by refusing to grant an authority to deal (ie a clearance) in response to an import declaration.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/031) – Consignments testing - reasons flagged -

Asked:

What are the top five reasons a consignment will be flagged for greater scrutiny?

Answer:

Provision of such detail would compromise our ability to detect asbestos.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/032) – Consignments testing - reasons held -

Asked:

What are the top five reasons a consignment will be held in customs longer than the notified period of time?

Answer:

There is no notified period of time. The ABF will place a hold on goods suspected of containing asbestos until provided with adequate assurances from the importer that the goods do not contain asbestos.

Testing of goods is conducted by a laboratory accredited by the National Association of Testing Authorities (NATA) and the onus for organising sampling and testing rests with the importer. Importers can expedite the border clearance process by arranging for testing prior to importation.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/033) – Asbestos importation risk profiles - information -

Asked:

What types of information is included in a DIBP/ABF risk profile?

Answer:

Provision of such detail would compromise our ability to detect asbestos.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/034) – Country of manufacture - risk profiles -

Asked:

Is the country of manufacture included in a DIBP/ABF risk profile?

Answer:

Country of manufacture is often a factor in ABF risk profiles.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/035) – Country of manufacture - high risk -

Asked:

Which countries of manufacture are considered high risk?

Answer:

The countries of manufacture considered high risk are those countries that still allow for a level of asbestos to be included in the manufacture of goods. e.g. China, United States of America.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/036) – Country of Import - high risk -

Asked:

Which countries of import are considered high risk?

Answer:

The ABF considers the following countries (listed in alphabetical order) of export to be a risk for asbestos based on previous detections:

- China
- Germany
- Indonesia
- Italy
- Japan
- New Zealand
- Singapore
- South Africa
- Taiwan
- The Netherlands
- United Kingdom
- United States of America
- Vietnam

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/037) – Asbestos importation risk profiles -

Asked:

Please provide an example of a DIBP/ABF risk profile used to identify illegally imported asbestos.

Answer:

A supplier of goods in which the ABF had previously detected asbestos would have their future importations profiled.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/038) – High risk manufacturers -

Asked:

Are particular manufacturers considered at higher-risk of importing asbestos than other manufacturers?

Answer:

The ABF would consider Australian manufacturers who import parts or components that have a history of asbestos contamination a higher risk than Australian manufacturers which do not import such goods.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/039) – List of high risk manufacturers -

Asked:

Please provide the list of higher-risk manufacturers, the dates those manufacturers were put on the list and the number of consignments by those manufacturers which were found to contain asbestos.

Answer:

Public release of this information would compromise detection activity.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/040) – High risk importers - determination -

Asked:

How does DIBP determine which importers are high risk?

Answer:

Targeting of importers has been developed using historical detection data, referrals from industry, other agencies and statutory authorities involved in asbestos management and open source research.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/041) – High risk importers - identification procedures -

Asked:

Please detail the procedures ABF has in place to identify high risk importers of asbestos

Answer:

Apart from importer declarations, the ABF employs an intelligence-led, risk-based approach in managing the threat of the importation of goods containing asbestos, pre and post border.

Our activities at the border include the use of profiles and alerts designed to target high-risk consignments that may contain asbestos.

Risk assessments are conducted on 100 per cent of cargo imported to Australia, with all goods identified as high-risk selected for further intervention.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/042) – Asbestos awareness training - risk profile procedures -

Asked:

Please provide examples of the training DIBP/ABF staff receive in regards to risk profile procedures, including copies or any training materials.

Answer:

Profile development is performed by a team of analysts who have undertaken on the job training. This includes mentoring and supervision by an experienced officer.

The ABF has commodity specific procedural documents to enable officers to evaluate goods identified through profiles. The *Management of Asbestos at the Border Procedural Instruction* provides policies and procedures in relation to the assessment of goods at the border for asbestos purposes.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/043) – Asbestos awareness training for ABF staff

Asked:

Please detail any Asbestos Awareness Training ABF staff receive.

Answer:

The ABF provides training to all officers that undertake asbestos related detection activities; this training currently ranges from formal external accredited training through to on the job training.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/044) – Port inspection processes -

Asked:

Please detail the way in which DIBP/ABF staff operate at ports to inspect shipping consignments

Answer:

See NCBP/018.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/045) – Specialised ABF officers -

Asked:

Are there dedicated ABF officers who specialise in identifying asbestos and only work on suspected asbestos consignments?

Answer:

The ABF operates in a diverse and constantly changing environment. Staff resources are not allocated to specific risks for regulated goods; they are applied according to the ABF's risk assessment processes.

Depending on the level of risk identified and the intelligence available, tasking can be allocated to any officer undertaking relevant duties.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/046) – Total staff on shift by location -

Asked:

Please detail the number of ABF officers on shift by port location at any given time.

Answer:

It is difficult to determine an accurate figure across the shift environment due to the varying shift patterns and rosters. We can, however, advise that we have the above amount of officers working in a designated shift position across the regions.

	Total number of shift officers	Darwin	Adelaide	Perth	Sydney	Brisbane	Townsville	Cairns	Gold Coast	Melbourne	Canberra
Total	1766	64	79	203	505	297	14	54	66	457	27

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/047) – Total staff vacancies by location and rank -

Asked:

Please detail the number of unfilled ABF positions by port location and staff rank.

Answer:

The information requested is operationally sensitive and cannot be publicly released.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/048) – Targets for testing shipping - Last five financial years -

Asked:

Please detail the ABF targets for testing shipping consignments by port for the financial years:

- o 2012-13
- o 2013-14
- o 2014-15
- o 2015-16
- o 2016-17

Answer:

The ABF does not have a target for testing consignments for asbestos. The decision to test a consignment is based on the risk of the goods containing asbestos, rather than meeting a quota.

2012-13 N/A

2013-14 N/A

2014-15 N/A

2015-16 N/A

2016-17 N/A

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/049) – Inspection rates for shipping - Last five financial years -

Asked:

Please detail the actual ABF inspection rates of testing shipping consignments by port for the financial years:

- o 2012-13
- o 2013-14
- o 2014-15
- o 2015-16
- o 2016-17

Answer:

These figures refer to the total number of tests for asbestos conducted for both air and sea cargo. The data is not available in the form requested.

2012-13: Not available

2013-14: 10

2014-15: 20

2015-16: 117

2016-17: 761

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/050) – Targets for testing air - Last five financial years -

Asked:

Please detail the ABF targets for testing air consignments by port for the financial years:

- o 2012-13
- o 2013-14
- o 2014-15
- o 2015-16
- o 2016-17

Answer:

The ABF does not have a target for testing consignments for asbestos. The decision to test a consignment is based on the risk of the goods containing asbestos, rather than meeting a quota.

2012-13: N/A

2013-14: N/A

2014-15: N/A

2015-16: N/A

2016-17: N/A

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 03 October 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/051) – Inspection rates for air - Last five financial years -

Asked:

Please detail the actual ABF inspection rates of testing air consignments by port for the financial years:

- o 2012-13
- o 2013-14
- o 2014-15
- o 2015-16
- o 2016-17

Answer:

These figures refer to the total number of tests for asbestos conducted for both air and sea cargo. The data is not available in the form requested.

2012-13: Not available

2013-14: 10

2014-15: 20

2015-16: 117

2016-17: 761

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/052) – Asbestos importation - stakeholder engagement -

Asked:

What communication, outreach or engagement work does DIBP undertake with importers to reduce the risk of asbestos being brought into Australia?

Answer:

DIBP engages in a range of fora regarding asbestos prohibitions.

Engagement with industry peak and representative bodies

- The Trade and Goods Compliance Advisory Group is a collaborative forum for industry, the Department and the ABF to recommend solutions to trade and goods compliance issues. The CAG focuses on maximising voluntary compliance and working with industry to design solutions to existing and emerging issues. Asbestos is regularly discussed in this forum.
- DIBP/ABF regularly engages, bilaterally, with groups such as the Customs Brokers and Forwarders Council of Australia (CBFCA) and the Freight and Trade Alliance (FTA) and a range of other industry stakeholders as part of the Department's Industry Engagement Strategy. Asbestos is regularly discussed in these meetings.

International engagement

- Internationally, DIBP/ABF engage with overseas governments and industry, including officials from China, the United States, India and Taiwan, to inform them of Australia's strict asbestos controls.
- Examples of international engagement and outreach to inform overseas supplier industries include:
 - The Embassy of the People's Republic of China in Australia has made available from its website the Department's 'Managing the risk of asbestos at the border' factsheet, translated into Chinese script;
 - ABF officers in China have been working with China's General Administration of Quality Supervision, Inspection and Quarantine to ensure that exporters are aware of Australia's strict asbestos border control requirements; and
 - Engagement with Vietnamese Customs delegation to Australia.

Publications

- DIBP/ABF engages industry and importers through a range of publications, including:
 - DIBP Website – asbestos information page;
 - Fact sheets that are uploaded on the DIBP website, but also have been shared with foreign agencies through international outreach;
 - DIBP Notices, which are targeted at border industry (Licensed Customs Brokers, Freight Forwarders etc) and published on the DIBP website;
 - Goods Compliance Update – ABF newsletter to industry published on DIBP website; and
 - ABF presentations for the Continuing Professional Development Scheme for Customs Brokers.

Presentations

- DIBP attends and presents at a range of seminars and conducts direct industry engagement, including:
 - Attendance and presentations to Australian industry stakeholders at seminars – for example the seminars hosted by the Asbestos Safety and Eradication Agency; and
 - Direct responses to enquiries received through the Department's Service Centre, ABF line areas and the ABF Customs Compliance Branch.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/053) – asbestos importation - disclosure of companies -

Asked:

Please detail the mechanisms DIBP has to disclose the companies found to be importing asbestos to industry.

Answer:

The details of convictions for asbestos importation offences are a matter of public record.

The act of publishing importer or supplier details, where there is an asbestos detection but no conviction recorded, is currently subject to the secrecy and disclosure provisions of the *Australian Border Force Act 2015*. Therefore, for reasons of legal principle, this information cannot be made public.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 29 September 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(NCBP/054) – asbestos importation - budget for industry education -

Asked:

Please detail the DIBP budget allocated to educating industry about the risks of asbestos importation.

Answer:

Asbestos is one of a number of prohibited imports that the Department, and its operational arm the Australian Border Force, must address at the border. Budget allocation for the education of industry includes border industries, importers and exporters, and other external stakeholders, to address a range of border issues as required. For this reason, there is no specific allocation for industry education for asbestos.

Such issues include the border requirements for prohibited imports such as asbestos, but also other goods such as; prohibited weapons and drugs, trade facilitation matters, entry lodgement processes, revenue matters, and licensing requirements.