

## QUESTION TAKEN ON NOTICE

### SUPPLEMENTARY BUDGET ESTIMATES – 20 OCTOBER 2014

#### IMMIGRATION AND BORDER PROTECTION PORTFOLIO

#### (SE14/040) PROGRAMME – Australian Customs and Border Protection Service

Senator Bilyk (L&CA 101) asked:

Senator BILYK: I did put on notice this question: have you sought to obtain the duties from Airfreight's customers even though they have already been paid to Ausfreight?

Mr Quaedvlieg: Senator, I will take that question on notice. My response in the immediate term may still be that it is an ongoing operational investigative matter, and I may still not be able to respond; but I will take that on notice.

Senator BILYK: If that is the case, why should the customers of Ausfreight be forced to pay customs duty twice when Ausfreight was collecting the duties on behalf of the department? The next question is: have any of the directors of Ausfreight been granted a new logistics customs depot licence?

Mr Quaedvlieg: I will take both those questions on notice.

Senator BILYK: Are the directors currently engaged by any firm dealing with the department?

Mr Quaedvlieg: Ditto. Did you want to table those questions on notice?

Senator BILYK: I have just got one more. I want to get them on the Hansard, publicly. What actions has the department sought against the directors?

Mr Quaedvlieg: I will take that on notice as well.

*Answer:*

- a. In accordance with legislation and in line with normal practice, the Australian Customs and Border Protection Service (ACBPS) issued revenue demands to the seven importers who received the relevant goods when there was no authority to deal with them. A number of the importers have paid their outstanding debts to the Commonwealth.
- b. Each party fitting the definition of 'owner' in the Customs Act can be held liable for outstanding duty and GST, until someone pays the debt. The definition of "owner" is very broad and includes importers.

ACBPS has certain obligations to pursue Commonwealth revenue debts where it is possible to do so. ACBPS is not responsible for the defaults of Ausfreight, which acted as the agent of the importers, under contract to the importers.

- c. No.

- d. The ACBPS has no knowledge of a director of Ausfreight being engaged by any firm dealing with the ACBPS
- e. The ACBPS has considered whether individuals in Ausfreight Global Logistics Pty Ltd should be prosecuted but it is the ACBPS view at this time the prospects of a conviction is unlikely for a range of reasons.