

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES – 20 OCTOBER 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE14/104) PROGRAMME – Australian Customs and Border Protection Service

Senator Carr (Written) asked:

As a customs depot licensee was Ausfreight collecting duties from their customers on behalf of customs?

a. What has happened to those duties?

Answer:

Customs Act section 77G depots do not collect duty and GST on behalf of ACBPS or the Commonwealth. A depot is a place, licensed by the Chief Executive Officer (CEO) of Customs under section 77G of the Customs Act, that importers use to move goods away from the wharf or airport for short-term storage and unpacking/deconsolidation before entering the goods for home consumption, moving them to a warehouse, or exporting them.

ACBPS has not had visibility of the commercial arrangements between the relevant importers and Ausfreight Global Logistics Pty Ltd .

- a. ACBPS took action to ensure that there were no more goods entered into home consumption without authority and it cancelled the company's depot licence. The company has ceased trading, however a number of the debts to the Commonwealth remain outstanding. ACBPS can hold each party fitting the definition of "owner" in the Customs Act liable for the outstanding duty and GST, until someone pays the debt. The definition includes the importers. Some importers claim they paid the duty and GST to the company to pass on to the Commonwealth. ACBPS is not responsible for the defaults of Ausfreight, which acted as the agent of the importers, under contract to the importers. To date, some of the seven importers have paid their debts and some have not.