

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES – 20 OCTOBER 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE14/313) AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE

Senator Carr, Kim (Written) asked:

What role has the Customs and AusCheck Legislation Amendment (Organised Crime and Other Measures) Act 2013 (Organised Crime Act) which improves the utility of the infringement Notice Scheme (INS) by increasing penalties to encourage greater compliance had in improving compliance and raising revenue?

a.) Since the operation of the new INS has the percentage of warning notices for breaches as opposed to INS or prosecutions increased or decreased.

Answer:

The new Infringement Notice Scheme (INS) commenced on 1 February 2014 and applies where the date of the alleged offence occurred on or after 1 February 2014.

Given the new INS has been in operation for short period only, it is not possible to assess with certainty its effect on the levels of compliance with the Customs Act.

a. For those offences that are INS eligible under both the pre and post 1 February INS scheme, the percentage of warning letters has increased to 39.0% of detected breaches under the new INS compared to the three year average of 19.3% under the previous INS.