



Australian Government
Australian Customs Service

Customs House
5 Constitution Ave
CANBERRA ACT 2601

11 July 2005

Ms Maureen Weeks
Committee Secretary
Senate Rural and Regional Affairs and
Transport References Committee
SG 62
Parliament House
Canberra ACT 2600

Dear Ms Weeks

Thank you for the invitation to make a submission addressing all or some of the matters to be covered in the Senate Rural and Regional Affairs and Transport Legislation Committee – Inquiry into the administration of the *Maritime Transport Security Act 2005*.

A submission from the Australian Customs Service is attached. As most matters being dealt with by the Committee are outside the operational responsibility of Customs our comments are limited to Issues c) and e) only.

Yours sincerely

(Signed)

Marion Grant
National Director
Border Compliance and Enforcement

Australian Customs Service

Submission to

Senate Rural and Regional Affairs and Transport Legislation Committee – Inquiry into the administration of the *Maritime Transport Security Act 2005*.

Customs notes that this Act extends the Maritime transport security regime to the offshore gas and oil rigs as well as establishing the framework for the introduction of the Maritime Security Identification Card (MSIC).

Customs comments are limited to matters which impact on its operations.

Issue c) The adequacy of law enforcement mechanisms available to enforce the regulatory scheme

Customs notes that the Act is concerned with the regulatory scheme only and does not cover surveillance and response issues being coordinated by the Joint Offshore Protection Command. Accordingly, its comments are limited to the enforcement of the regulatory scheme.

Under maritime legislation administered by the Department of Transport and Regional Services (DOTARS) Customs officers have special powers as law enforcement officers. These powers are in addition to the already extensive powers Customs has in the maritime environment to control the movements of vessels, crew and cargo.

Customs and DOTARS are consulting on the introduction of this legislation. Customs will work with DOTARS to provide what assistance it can, within resource constraints, with the enforcement of the regulatory scheme for both offshore gas and oil rig matters and the MSIC.

Issue e) The adequacy of existing security checks for foreign seafarers

Customs notes that this Act does not extend the MSIC to foreign sea crew.

Under current arrangements Customs risk assesses every commercial vessel in advance of its arrival in Australia. The assessment takes into account government information and intelligence in relation to terrorism.

Crew details including name, date of birth and passport information are obtained in advance of arrival. The details of every crew member are entered in to a Customs system that is checked against the Passenger Analysis, Clearance and Evaluation (PACE) system. This includes the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) Alert List and alerts placed by other agencies, including national security agencies.

Customs will continue to work with appropriate departments on matters to do with security checks for foreign seafarers.