



NORTHERN TERRITORY STATE NOTICE NO. 2005/01

Sea Cargo Container Examination Arrangements

This Notice outlines changes to container examination arrangements in Darwin, effective from the date of this Notice.

Background

To better protect Australia's borders, Customs is required to take a more interventionist role in the inspection of cargo.

Importers and exporters need to ensure they make provision in their logistics arrangements for the possibility of Customs inspecting their cargo. Importers should recognise that a small proportion of cargo will be delayed by the inspection process and make allowance for this in their internal business processes.

Container Inspections in Darwin

Full container load (FCL) examinations in Darwin have, until now, been conducted in the open-air and have therefore been subject to the extreme climatic conditions of the tropics. To address this situation, Customs has now established a Container Examination Building (CEB) in close proximity to Darwin's East Arm Port.

Customs screens and risk-assesses all import and export cargo and will select containers for inspection at the CEB. Empty containers will be inspected where there is an identified need to do so. The status of cargo should normally be known prior to the container terminal operators (CTOs) declaring cargo available, after it has been discharged from the relevant vessel.

Customs has arrangements with CTOs for the handling of containers selected for examination. CTOs are responsible for ensuring selected containers are provided to Customs on a priority basis. Customs contracted transport providers will collect the containers from the container terminals and transport them to the CEB and return them after Customs inspection. The hold for inspection will then be lifted and the cargo will be clear for collection from the CTO.

Timely reporting

Cargo must be reported to Customs 48 hours prior to vessel arrival in most cases. Late reported cargo is still screened and risk assessed and is frequently held for inspection by Customs.

Costs and charges

The changes outlined in this Notice do not involve any direct cost to importers, exporters or CTOs.

Damages

Section 186 of the *Customs Act 1901* provides Customs with the power to examine any goods subject to its control. Section 34 of the Act provides that:

The Customs shall not be liable for any loss or damage occasioned to any goods subject to the control of the Customs except by the neglect or wilful act of some officer.

While Customs exercises appropriate care for all cargo, importers and exporters should ensure that they arrange for the appropriate packing and insurance of their goods. Where there is evidence to suggest that damage has arisen as a result of a Customs inspection of the cargo, claims should be directed to the Manager, Border Compliance & Enforcement (08 8946 9890) in the first instance.

Contacting Customs

All queries regarding matters addressed in this Notice should be directed to Customs – telephone 08 8946 9954 between 8.00am and 4.00pm local time Monday to Friday, or via facsimile to 08 8946 9932.

John Marks
Regional Director

23 February 2005