



Australian Government
**Department of Immigration
and Border Protection**

Integrity Measures

SUBSECTION 55(1) OF THE *AUSTRALIAN BORDER FORCE ACT 2015*

I, MICHAEL PEZZULLO, Secretary of the Department of Immigration and Border Protection, under subsection 55(1) of the *Australian Border Force Act 2015* give the following Directions:

1 Purpose of this Direction

The Department of Immigration and Border Protection (DIBP) is charged with protecting Australia's border and managing the movement of people and goods across it. We hold a privileged place at the border and in the community, with access to secure environments, and the ability to make decisions that affect a person's safety, rights and freedoms, and Australian trade and commerce. Our work and the information we hold is valuable to organised crime syndicates, who actively try to circumvent border controls, reduce border integrity and threaten national security and our border management activities are a significant target for criminal groups who have strong financial and other motives to infiltrate border protection agencies across the globe. Our integrity must be of the highest order and our behaviour consistent with the laws we enforce.

These Directions require Immigration and Border Protection workers (IBP workers) to comply with certain integrity measures under the DIBP Integrity Framework relating to:

- a) drugs and alcohol; and
- b) mandatory reporting of IBP workers who are reasonably believed to be engaging in serious misconduct, corrupt conduct or criminal activity.

2 Application and Citation

IBP worker is defined in subsection 4(1) of the *Australian Border Force Act 2015*. These Directions apply to IBP workers and may be cited as the *Integrity Measures Secretary Directions*.

3 Directions

Drugs and Alcohol

- 3.1 IBP workers must not, contrary to law, use, possess, traffic, consume or otherwise have present in their bodies, any prohibited or illegal drugs.
- 3.2 IBP workers must not perform any DIBP duties or perform any services for the DIBP whilst impaired *by any legal or illegal drugs or alcohol*.
- 3.3 IBP workers must comply with DIBP drug and alcohol policy as in force at 1 July 2015.

Mandatory Reporting

- 3.4 An IBP worker must report as soon as practicable after becoming aware of, or having a reasonable belief that, another IBP worker is, has or may be engaging in serious misconduct, corrupt conduct or criminal activity that affects, or is likely to affect, the operations, responsibilities or reputation of the Department.
- 3.5 An IBP worker must report as soon as practicable if they themselves have engaged in any of the conduct referred to in paragraph 3.4.
- 3.6 In relation to the conduct referred to in paragraph 3.4 and 3.5:
 - a) serious misconduct means:
 - i. corrupt conduct engaged in, a serious abuse of power, or a serious dereliction of duty, by the IBP worker; or
 - ii. any other seriously reprehensible act or behaviour by the IBP worker, whether or not acting, or purporting to act, in the course of his or her duties as an IBP worker;
 - b) corrupt conduct is:
 - i. conduct that involves, or conduct that is engaged in for the purpose (or for purposes including the purpose) of, the IBP worker abusing his or her position as an IBP worker; or
 - ii. conduct that perverts, or conduct that is engaged in for the purpose (or for purposes including the purpose) of perverting, the course of justice; or
 - iii. conduct that having regard to the duties and powers of the worker as an IBP worker involves corruption of any other kind, or conduct that is engaged in for the purpose (or for purposes including the purpose) of, corruption of any other kind;
- 3.7 IBP workers must comply with DIBP mandatory reporting policy as in force at 1 July 2015.

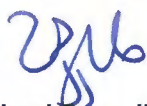
4 Effect of non-compliance

- 4.1 Failure to comply with these Directions by an IBP worker who is an APS employee may result in action being commenced to determine whether that IBP worker has breached the APS Code of Conduct.

- 4.2 Failure to comply with these Directions by an IBP worker who is not employed under the *Public Service Act 1999* may result in action being taken in accordance with the terms and conditions under which that worker is providing services or labour to DIBP, or under section 57 *Australian Border Force Act 2015*.

5 Date of effect

- 5.1 These Directions commence on 1 July 2015.



Michael Pezzullo

Secretary

29th June 2015

