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# Management of Wildlife and Wildlife Goods at the Border

## Procedural Instruction

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# 1. Purpose

The Australian Government is committed to protecting and conserving Australian native wildlife by regulating the international trade. This helps to protect targeted species against over exploitation, and Australian ecosystems against the introduction of invasive species.

The Australian Government also supports the efforts of other nations to protect their native wildlife, by implementing the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES). CITES is an international agreement between governments. Its aim is to ensure that the international trade in specimens of wild animals and plants does not threaten their survival.

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the *Environment Protection and Biodiversity Conservation Regulations 2000* (EPBC Regulations) provide a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places. The EPBC Act and EPBC Regulations give force to the principles and requirements of CITES in Australian law.

The Department of the Environment and Energy (DoEE) administers the EPBC Act and the EPBC Regulations, and the Australian Border Force (ABF) is responsible for enforcement of the import and export controls on 'wildlife', which is defined in the legislation to mean both animals and plants, as well as all specimens (i.e. products) derived from animals and plants. The Environmental Goods and Product Safety Section has policy responsibility for regulated wildlife within the Department of Home Affairs (the Department).

This Procedural Instruction details the operational procedural guidance to be followed by ABF officers responsible for the detection and management of regulated wildlife at the border.

The operational procedural guidance aims to ensure the ABF has a nationally consistent approach to the management of wildlife at the border, and to ensure that Australia meets its international obligations under CITES.

It is related to the *Prohibited and Restricted Imports and Exports Policy Statement* (TT-4889), and should be read in conjunction with that Policy and Procedure Control Framework (PPCF) document.

# 2. Scope

This Procedural Instruction provides operational guidance for ABF officers when managing the import and export of wildlife, including specimens/products derived from animals and plants at the border. It covers the following topics:

- background on the Australian border controls for wildlife
- definition of wildlife subject to the border controls
- legislation that underpins the controls and the powers of the ABF under this legislation
- the import and export permit schemes for wildlife
- exemptions and exclusions to the controls
- post-detection and seizure provisions for non-compliant wildlife
- contacts for policy advice, identification of goods and permits.

This document replaces the *Border Controls on the Import and Export of Wildlife and Wildlife Goods – Instructions and Guidelines* (dated April 2011), and the *Air Cargo – Procedures for the Detection of CITES Items – Instructions and Guidelines* (dated July 2008).

It applies to all ABF officers responsible for the detection and management of regulated wildlife at the border, across all cargo streams.

This document does not include a detailed outline of the policy and procedures to be followed for the management of wildlife, including specimens/products derived from animals and plants, after they have been detained or seized. This information is available in the *Detained Goods Management Procedural Instruction* (TT-4786).

The procedures outlined in this document do not apply to diplomatic cargo. Further information on the policies and procedures to be followed for diplomatic cargo can be found in the *Treatment of Diplomatic and Consular Goods Procedural Instruction* (TT-1984).

## 3. Procedural Instruction

### 3.1. Background on the Australian border controls for wildlife

The current border controls on the importation and exportation of wildlife stems from CITES, an international agreement between governments. CITES aims to ensure that the international trade in specimens of animals and plants does not threaten the survival of the species in the wild.

CITES was drafted in 1963, after a resolution was adopted at a meeting of members of the International Union for Conservation of Nature (IUCN). CITES came into force on 1 July 1975. It currently provides protection to approximately 5,000 species of animals, and 30,000 species of plants, whether they are traded as live specimens, or as products such as hunting trophies, furs, pelts, bones, dried herbs and medicines etc.

States and regional economic integration organizations that have agreed to be bound by CITES, like Australia, are known as parties to the convention. Although CITES is legally binding on the parties, it does not take the place of national laws but rather provides a framework for domestic legislation.

Australia ratified CITES on 29 June 1976, and began enforcing the rules of the convention under domestic Australian legislation on 27 October of the same year.

The EPBC Act and the EPBC Regulations regulate the international trade of wildlife specimens across our border, and ensures that Australia complies with its obligations under CITES by protecting wildlife (including native and exotic species) from inhumane treatment and adverse impact from trade, and promoting conservation of biodiversity.

### 3.2. Administration of the Australian import and export controls

The DoEE has primary responsibility for the administration of the EPBC Act and the EPBC Regulations, and is the primary policy agency for the import and export controls on wildlife. The DoEE also acts as Australia's CITES Management Authority and CITES Scientific Authority, and administers the import and export permit application process for these goods.

The ABF are authorised officers under the EPBC Act, which gives them legislative authority to seize goods on behalf of the DoEE when they suspect the importer or exporter has breached the EPBC Act. Attachment B of this Procedural Instruction provides a summary of the powers of ABF officers under the EPBC Act.

The Department of Agriculture is responsible for administration of the *Biosecurity Act 2015* (the Biosecurity Act), and its officers are able to carry out seizures of live species under both the Biosecurity Act and the EPBC Act. Import permits for live plants are also managed by Department of Agriculture rather than the DoEE.

The Environmental Goods and Product Safety Section has policy responsibility for regulated wildlife and wildlife goods within the Department, and the ABF Trade and Goods Operational Policy Section provides operational policy advice to ABF officers at the border.

The DoEE is positioned to provide the ABF with policy advice on the controls, and assistance in identifying wildlife, including specimens/products derived from plants and animals, that are subject to import and export controls under the EPBC Act and the EPBC Regulations.

Key contacts for the DoEE and the Environmental Goods and Product Safety Section are included below in section 3.10.

### 3.3. Wildlife controlled under the EPBC Act

Part 13A of the EPBC Act controls the international movement of the following categories of wildlife:

- import and exports of CITES species and CITES specimens
- exports of regulated native specimens
- imports of regulated live specimens.

Further detail on the import and export controls for each category of regulated wildlife is included in subsections 3.3.1, 3.3.2 and 3.3.3 below.

#### 3.3.1. Controls on imports and exports of CITES species and CITES specimens

The EPBC Act regulates the import and export of all species of live animals and plants listed in the CITES Appendices, and all parts and derivatives of those species. This includes furs, hides, pelts, bones, organs, shells and secretions, and manufactured products such as (but not limited to):

- traditional medicines
- hunting trophies
- stuffed animals
- carved ornaments

The *List of CITES Species for the Purposes of the Act (29/11/2001)* (the CITES List) made under section 303CA of the EPBC Act specifies the CITES specimens that are subject to import and export controls at the Australian border.

The CITES List includes the following information for each listed CITES species:

- details of the CITES Appendix in which a species is listed.
- the date on which the CITES provisions first applied to the species.
- any conditions or restrictions that may apply to the border controls on the specimen.

The current version of the CITES List can be obtained from the [Australian Government's Federal Register of Legislation](#) website.

It is important to refer to the top of the compilations list for the version of the CITES List that is currently in force.

**Note:** For species which have been listed by CITES Parties at a higher taxonomic level (e.g. family or order), the CITES List will not name all species in these groupings. For example, all bears in the family 'Ursidae' have been listed under CITES Appendix II. Therefore only 'Ursidae' will appear on the CITES List (except where a particular species is included in CITES Appendix I).

CITES species and specimens included in each CITES Appendix are controlled differently at the Australian border. Further information on the regulatory approach for plants and animals in each CITES Appendix is included in the table below:

*Border controls for species and specimens listed in Appendix I, II and III to CITES:*

CITES Appendix	Australian Border Controls
Appendix I	<p>CITES Appendix I contains species of animals and plants threatened with extinction, and includes (but is not limited to) great apes, lemurs, the giant panda, many South American monkeys, great whales, cheetah, leopards, tiger, elephants (Australian stricter domestic measure applies), rhinoceroses, lions (Australian stricter domestic measure applies) many birds of prey, cranes, pheasants and parrots, all sea turtles, and some crocodiles and lizards, giant salamanders, mussels, and some orchids, cycads and cacti.</p> <p>The importation or exportation of these CITES specimens is usually prohibited. Permits will only be granted by the DoEE to import or export specimens of species listed in Appendix I in very exceptional circumstances. This includes trade for non-commercial purposes such as conservation breeding, education, research or exhibition. Both an import and export permit is required.</p> <p>Personal or commercial importations of Appendix I specimens is limited to 'pre-CITES' specimens (specimens harvested before the first date of CITES listing).</p> <p>To import or export Pre-CITES specimens, a pre-CITES certificate issued by the CITES management authority in the country of export is required (see subsection 3.7.1 below for further information on pre-CITES certificates). An import permit from Australia is not required.</p>
Appendix II	<p>CITES Appendix II contains species that, although not threatened with extinction now, might become so unless trade in them is strictly controlled and monitored. Appendix II also includes some non-threatened species, in order to prevent threatened species from being traded under the guise of non-threatened species that are similar in appearance. These are referred to as 'look-alike species'.</p> <p>The importation of Appendix II CITES specimens to Australia is prohibited unless the importer has a valid CITES import permit issued by the DoEE, and a valid export permit issued by the CITES Management Authority in the country of export.</p> <p>The exportation of Appendix II CITES specimens from Australia is prohibited unless the exporter has a valid CITES export permit issued by the DoEE.</p> <p><b>Note:</b> Some Appendix II CITES specimens carried as personal or household effects are exempt, and do not require a permit for import or export (see section 3.7 below for more information on exemptions from permit requirements). This permit exemption does not apply to Appendix II CITES species listed as always requiring a permit for import under Australian stricter domestic measures (see subsection 3.3 below).</p>



CITES Appendix	Australian Border Controls
Appendix III	<p>CITES Appendix III includes species that are protected in at least one country, which has asked other CITES parties for assistance in controlling the trade.</p> <p>Importations of an Appendix III specimen to Australia from the listing country are treated like an Appendix II specimen, and will generally require both an export permit issued by the CITES Management Authority in the country of export, and an import permit issued by the DoEE. If the Appendix III specimen comes from any other country (i.e. not the listing country), a CITES certificate of origin must be obtained in addition to the import permit from the DoEE. The CITES certificate of origin must be obtained from the CITES Management Authority in the country of export.</p> <p>Exports of Appendix III specimens from Australia will require either an export permit or a certificate of origin issued by Australia.</p>

### 3.3.2. Stricter Australian measures for certain CITES specimens

Under section 303CB of the EPBC Act, Australia has chosen to adopt stricter domestic measures for the importation and exportation of certain CITES specimens. These measures mean that particular CITES species or specimens are regulated more strictly within Australia than the obligations under the CITES would normally require as a minimum.

The stricter Australian domestic measures that apply to certain CITES species and specimens at the time of writing this Procedural Instruction are outlined in the table below:

*Stricter Australian domestic measures for certain CITES species and specimens:*

Stricter Australian Domestic Measure	Australian Border Controls
African Lions	Australia treats all African lion species as though they are listed on Appendix I to CITES.
Cetaceans	Australia treats all cetacean species (whales, porpoises and dolphins) as though they are listed on Appendix I to CITES.
Elephants	Australia treats all elephant species as though they are listed on Appendix I to CITES.
Southern White Rhinoceros ( <i>Ceratotherium simum simum</i> )	<p>An Appendix I CITES listing applies to all five species of rhinoceros with the exception of populations of the southern white rhinoceros from South Africa and Swaziland, which are listed on Appendix II.</p> <p>Australia has introduced strict measures for trade in southern white rhinoceros specimens, including the following border controls:</p> <ul style="list-style-type: none"><li>import permits will not be issued to import new (post-1975) hunting trophies of Appendix II listed southern white rhinoceros.</li><li>Rhinoceros hunting trophies are no longer allowed to be imported as personal and household effects.</li></ul>

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Stricter Australian Domestic Measure	Australian Border Controls
	<ul style="list-style-type: none"><li>• Radiocarbon dating is required to conclusively prove the age of vintage rhinoceros horn for export.</li></ul>
Commercial importations of Declared CITES specimens	<p>Australia has determined that certain Declared CITES specimens may only be imported commercially if they have been either:</p> <ul style="list-style-type: none"><li>• artificially propagated</li><li>• captive bred; or</li><li>• sourced from an operation that has been approved by the Australian Government as a Commercial Import Program (CIP).</li></ul> <p>Whether a specimen is artificially propagated or captive bred is determined by the CITES management authority of the exporting country. The export permit issued by the exporting country will include a source code for each specimen. Captive bred specimens will have a source code 'C' and artificially propagated specimens will have a source code 'A'</p> <p>Further information on CIPs, including a list of approved CIPs, is available from the <a href="#">DoEE public website</a>.</p> <p>Declared CITES specimens currently include:</p> <ul style="list-style-type: none"><li>• Ramin (<i>Gonystylus spp</i>)</li><li>• Beluga sturgeon (<i>Huso huso</i>) originating from the Caspian Sea</li><li>• South African ghaap (<i>Hoodia gordonii</i>)</li><li>• all specimens originating from countries that are not a party to CITES.</li></ul>
Imports of Appendix II CITES Specimens	<p>To bring species listed on Appendix II to CITES into Australia, importers must obtain both an export permit from the CITES Management Authority in the country of export and a wildlife trade import permit from the DoEE.</p> <p><b>Note:</b> Personal and household effects are usually exempt from this measure (see section 3.7 below for more information on exemptions from permit requirements).</p>



Stricter Australian Domestic Measure	Australian Border Controls
Appendix II CITES specimens always requiring a permit for import	<p>In accordance with regulation 9A.04 of the EPBC Regulations, some Appendix II CITES specimens always require a wildlife trade permit for import into Australia, regardless of the reason for the importation.</p> <p>Australia currently does not allow any exemptions to requirements for wildlife trade permits for imports of the following CITES species:</p> <ul style="list-style-type: none"> <li>• Order Falconiformes (birds of prey)</li> <li>• Order Strigiformes (birds of prey)</li> <li>• Sub family Lutrinae (otters)</li> <li>• Family Felidae (cats)</li> <li>• Family Rhinocerotidae (rhinoceroses)</li> <li>• Family Ursidae (bears)</li> <li>• Genus Arctocephalus (seals)</li> <li>• <i>Ammotragus lervia</i> (Barbary sheep)</li> <li>• <i>Cephalophus jentinki</i> (Jentink's duiker)</li> <li>• <i>Equus zebra hartmannae</i> (Hartmann's mountain zebra)</li> <li>• <i>Hippopotamus amphibius</i> (hippopotamus)</li> <li>• <i>Kobus leche</i> (lechwe)</li> <li>• <i>Ovis canadensis</i> (bighorn or mountain sheep).</li> </ul>

### 3.3.3. Exports of regulated native specimens

Part 13A of the EPBC Act controls the exportation of 'regulated native specimens', which includes all native Australian animals and plants, or products derived from those animals and plants.

**Note:** Some species of Australian native animals and plants may be included in Appendix I, II, or III to CITES. In this situation, the CITES provision in the EPBC Act is used to control the goods at the border rather than the legislation for regulated native specimens (see subsection 3.3.1 above).

The *List of Exempt Native Specimens Instrument 2001* (LENS) made under section 303DB of the EPBC Act provides a list of native specimens that are exempt from export regulations.

Items included on the LENS (in the exact form and subject to conditions listed) may be exported from Australia without an export permit.

**Note:** The LENS does not include exemptions for any live native Australian mammals, birds, reptiles or amphibians, which are always subject to export controls.

The current version of the LENS can be obtained from the [Australian Government's Federal Register of Legislation](#) website.

It is important to refer to the top of the compilations list for the version of the LENS that is currently in force.

The Australian export controls for regulated native specimens are outlined in the table below:

*Export controls for regulated native specimens (live and non-live):*

Specimen Type	Export Purpose	Australian Export Controls
Live regulated native specimen	Commercial (e.g. selling or trading)	<p><b>The export of live native Australian mammals, birds, reptiles and amphibians for commercial purposes is prohibited.</b></p> <p>Live Australian native invertebrates, fish and plants may be commercially exported if they come from an approved source such as:</p> <ul style="list-style-type: none"><li>• captive breeding programs</li><li>• artificial propagation programs</li><li>• aquaculture programs</li><li>• wildlife trade operations</li><li>• wildlife trade management plans.</li></ul> <p>All exports of live Australian native invertebrates, fish and plants for commercial purposes require an export permit issued by the DoEE.</p> <p>Additional information on the export of live Australian native animals and plants is available on the DoEE's public website at: <a href="http://www.environment.gov.au">http://www.environment.gov.au</a>.</p>
	Non-Commercial	<p>Live Australian native animals and plants may be exported for several non-commercial purposes, such as:</p> <ul style="list-style-type: none"><li>• research</li><li>• education</li><li>• exhibition.</li></ul> <p>All exports of live Australian native plants and animals for non-commercial purposes require an export permit issued by the DoEE.</p>

Specimen Type	Export Purpose	Australian Export Controls
	Household Pet	<p>Specific species of live Australian native animals included in the <i>List of Native Household Pet Animals (29/11/2001)</i><sup>1</sup> may be exported from Australia as household pets, as long as they will not be used for commercial purposes (e.g. selling or trading). This is only permissible when the exporter:</p> <ul style="list-style-type: none"> <li>• is an Australian resident or ordinarily resides in Australia</li> <li>• has owned and kept the animal as a household pet</li> <li>• is leaving Australia with the intention of taking up permanent residence in another country</li> <li>• has acquired and owned the animal legally</li> <li>• has shown they can manage, confine and care for the animals health and wellbeing.</li> </ul> <p>The species of native household pets that may be exported from Australia include:</p> <ul style="list-style-type: none"> <li>• Sulphur-crested cockatoo (<i>Cacatua galerita</i>) – limit of three animals.</li> <li>• Galah (<i>Eolophus roseicapillus</i>) – limit of three animals.</li> <li>• Little corella (<i>Cacatua sanguinea</i>) – limit of three animals.</li> <li>• Long-billed corella (<i>Cacatua tenuirostris</i>) – limit of three animals.</li> <li>• Cockatiel (<i>Nymphicus hollandicus</i>)</li> <li>• Budgerigar (<i>Melopsittacus undulatus</i>)</li> </ul> <p>Exporters require permits issued by the DoEE to export live regulated native specimens from Australia as household pets.</p>
Non-live regulated native specimen <sup>2</sup>	Commercial (e.g. selling or trading)	<p>Specimens of non-live Australian native animals and plants can be exported from Australia for commercial purposes if they come from an approved commercial source program, such as:</p> <ul style="list-style-type: none"> <li>• captive breeding programs</li> <li>• artificial propagation programs</li> <li>• aquaculture programs</li> <li>• wildlife trade operations</li> <li>• wildlife trade management plans.</li> </ul>

<sup>1</sup> The *List of Native Household Pet Animals (29/11/2001)* is made under subsection 303FG(4) of the EPBC Act, and can be accessed from the [Australian Government's Federal Register of Legislation](#) website.

<sup>2</sup> Additional information on the export of non-live Australian native animals and plants is available on the [DoEEs public website](#).

Specimen Type	Export Purpose	Australian Export Controls
		Unless an exemption applies for the non-live Australian native specimen under the LENS, exporters require a valid export permit issued by the DoEE before exporting non-live Australian native specimens for commercial purposes.
	Non-commercial	<p>Specimens of non-live Australian native animals and plants may be exported from Australia for some non-commercial purposes, such as:</p> <ul style="list-style-type: none"><li>• research</li><li>• education</li><li>• exhibition</li><li>• travelling exhibition</li><li>• conservation breeding or propagation.</li></ul> <p>Unless an exemption applies for the non-live Australian native specimen under the LENS, exporters require a valid export permit issued by the DoEE before exporting non-live Australian native specimens for non-commercial purposes.</p>
	Personal Effects	<p>Specimens of non-live native animals or plants (or parts or products containing them) may be exported from Australia as personal effects when accompanied by an export permit issued by the DoEE.</p> <p>Permits are not required to export a personal non-live Australian native animal or plant specimen that meets <i>all</i> of the requirements below:</p> <ul style="list-style-type: none"><li>• the species is included on the LENS</li><li>• the item is carried in the exporter's personal baggage</li><li>• the item is not carried in commercial quantities</li><li>• the item is owned by the person taking it out of Australia</li></ul>

### 3.3.4. Imports of regulated live specimens

Only specimens of plants and animals included on the *List of Specimens taken to be Suitable for Live Import* (29/11/2001) (the Live Import List) may be imported into Australia as live specimens.

The Live Import List is made under section 303EB of the EPBC Act. The inclusion of a species on the Live Import List allows that species to be imported as either a whole organism or as viable reproductive material.

There are two parts to the Live Import List:

- **Part 1** contains species that can be brought into Australia without a permit from the DoEE.
- **Part 2** contains species that require a permit from the DoEE before being permitted for import into Australia. Conditions may be attached to the permit.

Further information on permits for non-native regulated live specimens is included below in section 3.6.

The current version of the Live Import List can be obtained from the [Australian Government's Federal Register of Legislation](#) website.

It is important to refer to the top of the compilations list for the version of the Live Import List that is currently in force.

### 3.4. Biosecurity laws and referrals to Department of Agriculture

Every import into Australia has the potential to introduce new pests and diseases. Department of Agriculture has established quarantine procedures under the Biosecurity Act to minimise this risk.

In addition to controls under the EPBC Act, officers should bear in mind that specimens of plants and animals, and particularly live animals, may be considered prohibited imports under biosecurity legislation, or require additional permits from Department of Agriculture to be legally imported to Australia.

Further information on the kinds of goods that should be considered for quarantine referral to Department of Agriculture and the process that should be followed by ABF officers when making quarantine referrals is included in the *Detention and Seizure of Prohibited and Restricted Goods Procedural Instruction* (TT-2403).

**Note:** Whenever referrals are made to Department of Agriculture for wildlife and wildlife goods, it is important to ensure that all ABF reporting processes for the goods have been followed, and that the ABF has no further interest in the goods before they are transferred.

### 3.5. Offences relating to wildlife and wildlife goods

Under Part 13A of the EPBC Act, it is an offence to:

- import or export CITES specimens unless the importer or exporter holds a valid permit or pre-CITES certificate
- export regulated native specimens unless the exporter holds a permit, or an exemption applies
- import non-native regulated live specimens unless the importer holds a permit
- possess a specimen that was imported in contravention of Part 13A of the EPBC Act.

### 3.6. Import and export permits

Under the EPBC Act, permits are generally required to:

- import or export specimens included in the CITES List
- export native animal and plant specimens not included in the LENS
- import live plants or animals included in Part 2 of the Live Import List.

The import/export permit application process for wildlife (including specimens/products derived from animals and plants) that are controlled under the EPBC Act is managed by the Wildlife Trade Regulation Section of the DoEE. Contact details for the Wildlife Trade Regulation Section are included at section 3.10 of this document.

The DoEE does not issue retrospective permits for wildlife that is controlled under the EPBC Act and the EPBC Regulations. Any regulated wildlife that is imported or exported without an appropriate permit are subject to seizure by the ABF under Part 13A of the EPBC Act (see section 3.9 for further information on seizure provisions).



**Note:** Import permits for live plants (that are not listed on CITES) are managed by Department of Agriculture rather than the DoEE. Information on the permit application process for live plants is available on [Department of Agriculture website](#).

### **3.6.1. Wetstamping for exports destined for the United States of America (USA)**

The CITES validation process for exports to the United States of America (USA) requires an ABF officer to:

- wetstamp;
- sign; and
- note the total quantity of specimens to be exported on the CITES permit. The total quantity of CITES goods to be exported must match the Export Declaration Notice (EDN).

The USA will not allow the import if these requirements have not been met.

Once the exporter of the CITES goods has been issued an export permit by DoEE, they must present the export permit to the ABF for wetstamping, signing and noting at one of the locations listed at ADD2019/5870636.

### **3.6.2 Export and Import Declaration Numbers**

It is a condition of a CITES or native permit that the importer/exporter obtains an Export Declaration Number (EDN) or an Import Declaration Number (IDN) for the import/export of any CITES of native specimen that requires a permit. This requirement is in place regardless of the type of specimen, the value of the specimen, or how it is transported. A valid permit number is required to obtain an EDN or IDN.

## **3.7. Exemptions and exclusions from permit requirements**

Permits issued by the DoEE are not required to export specimens that are, or are derived from, Australian native species that are listed as exempt under the LENS (see subsection 3.3.3).

Permits are not required under the EPBC Act to import non-CITES live plants or animals that are included in Part 1 of the Live Import List (see subsection 4.3.4).

Permits are not required to import or export a plant or animal, or products of a plant or animal, that are non-live, non-CITES, and not an Australian native species.

Permits are not required to export a plant or animal that is live, non-CITES, and not an Australian native species.

While permits for the wildlife listed above are not required under the EPBC Act, officers should bear in mind that the goods may be controlled under the Biosecurity Act, and may be subject to quarantine measures at the border. Officers should refer to section 3.4 for further information on when wildlife should be referred to the Department of Agriculture.

### **3.7.1. Pre-CITES certificates**

Pre-CITES certificates can be issued by CITES Management Authorities in the country of export to enable the international trade of pre-CITES specimens.

Before issuing a pre-CITES certificate, the relevant CITES Management Authority must be satisfied that the specimen was harvested prior to the date the species was included in the CITES Appendices.

The EPBC Act provides for the recognition of pre-CITES certificates, and an appropriately issued CITES certificate is sufficient to import the specimen it identifies (without an Australian CITES import permit).

As the Australian CITES Management Authority, the DoEE is responsible for issuing pre-CITES certificates for the export of pre-CITES specimens from Australia.

### **3.7.2. Registered non-commercial scientific exchange**

Registered scientific institutions may exchange certain specimens of CITES listed species and Australian native specimens without a permit, provided it is part of an exchange of non-commercial scientific specimens. This exemption for certain scientific specimens is designed to facilitate scientific study, including study into the conservation, management, identification, classification and taxonomy of species. Strict conditions must be met for the import or export of specimens determined to be for a non-commercial scientific exchange.

Further information on registered non-commercial scientific exchanges is available on the [DoEE's website](#).

### **3.7.3. Personal or household effects**

A permit may not be required to import or export some CITES specimens and Australian native specimens if they are personal items carried in luggage in the Traveller stream, or household effects being imported or exported as part of a household move. This exemption only applies to specimens that are **not alive**.

Further information on requirements for permit exclusions for CITES specimens and Australian native specimens imported or exported as personal or household effects is available on the [DoEE's website](#).

## **3.8. Detections of wildlife and wildlife goods at the border**

When wildlife, including specimens/products derived from wildlife, are detected at the border, ABF officers must determine whether the goods are regulated CITES specimens, regulated native specimens or regulated live specimens, and whether the goods are compliant with Part 13A of the EPBC Act. To do this, officers should follow these steps:

1. Check whether the specimen is, or is derived from, a species included on the CITES List.
2. Check whether the specimen is, or is derived from, Australian native animals or plants<sup>3</sup>, and whether the specimen is listed as exempt on the LENS
3. Check whether the specimen is a live non-native animal or plant, and whether the specimen is included on Part 1 or Part 2 of the Live Import List.
4. Check the Integrated Cargo System (ICS) for cargo status and the type of declaration.
5. If the goods are declared, check for any supporting documentation, import permits, or Pre-CITES certificates.
6. If permits or Pre-CITES certificates are found to be valid and in force, leave the cargo for normal processing, and acquit the permits and certificates as required.
7. If the animal or plant specimens are not controlled, leave the cargo for normal processing.

For assistance identifying the wildlife, and determining whether the goods are controlled under the EPBC Act and EPBC Regulations, officers responsible for clearing the goods should contact the Wildlife Trade Regulation Section of the DoEE (see contact details included in section 3.10 below).

<sup>3</sup> For an indication of whether a specimen is an Australian native species, ABF officers can refer to the [Atlas of Living Australia](#).

**Note:** The onus is always on the owner of the goods to provide the ABF with sufficient evidence to establish whether the goods comply with Part 13A of the EPBC Act, and all applicable customs law. Relevant commercial documents may be requested under section 71DA of the Customs Act.

If the goods are identified as being in breach of Part 13A of the EPBC Act, detecting officers should follow the standard post-detection procedures for prohibited or restricted goods. These are included in the *Conducting Air and Sea Cargo Targeted Examinations Procedural Instruction* (TT-1784) for targeted air and sea cargo examinations, the *Conducting Programmed Cargo Examinations* (TT-6430) for programmed (overt) air and sea cargo examinations or the *International Mail Management Procedural Instruction* (TT-2827) if the detection has occurred in the international mail stream.

### 3.8.1. Concealed live animals

If a concealed live animal is detected, the detecting officer must notify s. 37(2)(b) immediately following local procedures. s. 37(2)(b)

**The DoEE must also be advised as soon as possible of any live wildlife detection via their 24/7 contact number: s. 47E(d).**

In addition to referring the concealed live animals to s. 37(2)(b), officers must also ensure:

- the detection is referred to the Department of Agriculture after consultation with s. 37(2)(b) via local referral methods (see section 3.4 above)
  - **Important note:** prior to, or after, a referral to the Department of Agriculture, the relevant ABF officer will still need to issue a seizure notice for the live animals as per section 3.9 and ensure the transfer to Department of Agriculture is also recorded.
- all live animals are considered dangerous
- the personal safety of officers is considered, and consistent use of personal protective equipment (PPE), especially fit-for-purpose gloves, is enforced
- an ABF Supervisor is notified
- the goods are not further deconstructed until receiving assistance or instructions from s. 37(2)(b) / Department of Agriculture.

### 3.8.2. Wildlife or wildlife goods in breach of the EPBC Act

If the goods are suspected of being a CITES species or CITES specimen, a regulated native specimen, or a regulated live specimen, and the import or export is suspected of being in breach of the EPBC Act or the EPBC Regulations, the ABF detecting officer should follow these steps:

1. Secure the goods (e.g. in the bonded area if at a licenced premises).
2. Where applicable, notify the relevant depot contact that goods will be held pending further investigation.
3. Consider the requirement for quarantine referral to Department of Agriculture, and refer if necessary (see section 3.4 above). Department of Agriculture veterinarians may also be able to assist with identification of the goods.
  - **Important note:** prior to, or after, a referral to the Department of Agriculture, the relevant ABF officer will still need to issue a seizure notice

for the live animals as per section 3.9 and ensure the transfer to Department of Agriculture is also recorded.

- **The DoEE must also be advised as soon as possible of any live wildlife detection via their 24/7 contact number: s. 47E(d) .**
  - If the goods have been detected in the sea or air cargo streams, check the ICS to ensure the cargo status is 'HELD'. If the cargo status is 'CLEAR', change the status to 'HELD' until a determination is made. Note: before putting a hold on a clear consignment, ICS should be checked for whether a valid permit for the goods has been input into the required field of the community protection question. In this case the permit will be automatically validated and the consignment have a legitimate clear status.
5. If the goods are going to be taken from a licenced premises or directly from the owner prior to being seized, complete a B390 to provide to the licenced premises or the owner and take goods into custody pending seizure (see section 3.9 on seizing)
  6. If it is later established that the goods are not in breach of the EPBC Act or the EPBC Regulations, they can be returned to the normal cargo stream or owner, and the cargo hold can be lifted.

If the goods are confirmed as being a CITES specimen, a regulated native specimen, or a regulated live specimen in breach of the EPBC Act or the EPBC Regulations, ABF officers should follow these steps:

1. Notify an ABF Supervisor who will determine the extent of the breach and whether referral to s. 37(2)(b) and Department of Agriculture are warranted.
2. In the case of a serious breach of the EPBC Act, notify s. 37(2)(b) immediately.
3. After consultation with s. 37(2)(b), notify Department of Agriculture through local contacts.
  - **Important note:** prior to, or after, a referral to the Department of Agriculture, the relevant ABF officer will still need to issue a seizure notice for the live animals as per section 3.9 and ensure the transfer to Department of Agriculture is also recorded.
4. Collect information on the consignment for evidence and intelligence purposes. This information should include:
  - Where available, an x-ray image, particularly if the goods have been concealed
  - digital photographs of the goods – include outside packaging showing the relevant marks and numbers, the goods and the method of concealment
  - copies of all relevant import / export documentation related to the consignment (e.g. air waybills, invoices, etc.), as well as any relevant documents found with the goods.
5. Complete a B390 to provide to the licenced premises or the owner documenting the removal of the items from the premises or from the owner's possession.

6. Secure the goods for transport to a Temporary Storage Facility (TSF) or Detained Goods Management Store (DGM Store) in accordance with the *Detained Goods Management Procedural Instruction (TT-4786)*.

It should be noted that if goods are represented by an accompanying document, package, mark or label, or from any other circumstances, to be:

- the skin, feathers, horns, shell or any other part of a CITES listed animal; or
- part of a CITES listed plant; or
- reproductive material from a CITES listed animal or a CITES listed plant; or
- an article produced by or from, or derived from, one or more CITES listed animals or one or more CITES listed plants, whether with or without any other material;

then even if this is unsubstantiated, the goods can be seized by the ABF as a CITES Specimen under the EPBC Act if the goods are not accompanied by an appropriate permit (section 527D of the EPBC Act refers).

### 3.8.3 Significant detections

Significant detections are detections that meet or exceed the significant detection thresholds outlined in [Notifiable Events List](#).

Some detections of wildlife, including specimens/products derived from plants and animals, will qualify as significant detections and must be reported in line with the [Event Categorisation and Reporting Framework](#).

## 3.9. Seizure of wildlife and wildlife goods

By force of section 397(1) of the EPBC Act, officers of Customs (within the meaning of the Customs Act) are *ex officio* inspectors for the purposes of enforcing the EPBC provisions.

This enables ABF officers to seize specimens under section 444A of the EPBC Act, where he or she has reasonable grounds to suspect that the specimen has been used or is otherwise involved in the commission of an offence against Part 13A of the EPBC Act.

Warrants are not required for the lawful seizure of wildlife by ABF officers under section 444A of the EPBC Act.

When ABF officers seize wildlife specimens under section 444A of the EPBC Act, pursuant to section 444B, they must give a written notice about the seizure to the owner of the specimen, or to the person who had possession or control of the specimen immediately before it was seized, as soon as practicable after the seizure occurs. The written notice must:

- identify the specimen (see important note below)
- state that the specimen has been seized under section 444A, and give the reason for the seizure; and
- set out the terms of section 444C and 444D of the EPBC Act.

The *Notice of Seizure* produced by the Goods Management System (GMS) contains all the information required by section 444B of the EPBC Act.

**Important note:** As part of the introduction of GMS, a new model of categorisation for wildlife and wildlife goods was adopted, however, this categorisation does not include the species so it is important that the species is reflected in the description field in GMS. This new categorisation assists DoEE in reporting on seizures and transferring information to their own systems. The GMS categorisation for goods is available for reference in TRIM at ADD2019/4183445.



To seize wildlife and wildlife goods, ABF officers must take the goods into custody, record them in the GMS, then generate the *Notice of Seizure* from the GMS. When the *Notice of Seizure* is produced by the GMS, the notice may be served by email, post or in person.

The GMS can then share the information about the seizure with DoEE instantly, removing the requirement for the ABF to mail, or scan and email, details of the seizure and copy of the paper Seizure Notice to the DoEE.

The paper *Notice of Seizure* previously used for the seizure of wildlife and wildlife goods should no longer be used due to the manual processes required to communicate the seizure information to the DoEE.

**Important note:** if the goods are referred to the Department of Agriculture, the relevant ABF officer will still need to ensure an external transfer is recorded against the goods in GMS after seizure to ensure our records show that Department of Agriculture are in possession of the goods.

Once the goods have been seized, ensure the following steps are carried out:

1. Take photocopies of all relevant documentation, if not already completed.
2. Take digital photos of the goods, if not already completed.
3. Consult with s. 37(2)(b) to confirm if they are taking further action.
4. If the detection meets the thresholds for a significant detection (see section 3.8.3 above), complete an s. 37(2)(b) or enter details into the s. 37(2)(b)
5. Complete a s. 37(2)(b)
6. Where possible, secure goods in a TSF (goods of quarantine interest may be detained by Department of Agriculture).
7. Complete the Examination Data Management System (EXAMS) record and add officer notes in the ICS.
8. Create/update GMS record.
9. Transfer goods to DGM Store.

Any ABF officers involved in the seizure, handling, transport and storage of live animals must use appropriate PPE, based on a risk assessment of potential hazards. High-risk live specimens such as snakes must be left for Department of Agriculture officers to arrange safe management, handling, transport and storage.

For all operational policy and procedures regarding the storage, transport, and management of wildlife and wildlife goods that have been seized under Part 13A of the EPBC Act, ABF officers should refer to the *Detained Goods Management Procedural Instruction* (TT-4786).

### 3.9.1. Wildlife caution notices

The ABF must not issue caution notices when wildlife goods are detected at the border.

The Minister for the Environment removed the use of caution notices to simplify and strengthen enforcement of wildlife trade laws.

### 3.10. Key Contacts

#### 3.10.1. ABF Support – Trade and Goods Operational Policy Section

Email: ~~s. 47E(d)~~ @abf.gov.au

#### 3.10.2. ABF Customs Group – Environmental Goods and Product Safety Section

Email: ~~s. 47E(d)~~ @homeaffairs.gov.au

#### 3.10.3. DoEE – Wildlife Trade Regulation Section (for permitting matters)

Phone: +612 6274 1900

Email: [wildlifetrade@environment.gov.au](mailto:wildlifetrade@environment.gov.au)

#### 3.10.4. DoEE – Seizures and Triage Section (for seizures and compliance matters)

Phone: ~~s. 47E(d)~~

Email: [wildlife.seizures@environment.gov.au](mailto:wildlife.seizures@environment.gov.au)

24/7 live specimen detections should be reported to ~~s. 47E(d)~~ as soon as they are detected.

## 4. Accountability and Responsibility

Role	Description
ABF Officers, Regional Commands, ABF	<ul style="list-style-type: none"><li>Detection of regulated wildlife at the border, and the associated management and seizure of such goods in accordance with this Procedural Instruction.</li><li>Handling, storage and transport of seized wildlife specimens in accordance with the <i>Detained Goods Management Procedural Instruction</i> (TT-4786).</li></ul>
Trade and Goods Operational Policy Section, ABF	<ul style="list-style-type: none"><li>Provides policy advice on regulated wildlife to ABF officers in Regional Commands.</li><li>Liaises with the DoEE in relation to the controls on wildlife at the border.</li></ul>
Environmental Goods and Product Safety Section, ABF	<ul style="list-style-type: none"><li>Provides policy advice on regulated wildlife to ABF officers in Regional Commands.</li><li>Liaises with the DoEE in relation to the controls on wildlife at the border.</li></ul>
Wildlife Trade Regulation Section, DoEE	<ul style="list-style-type: none"><li>Administers the EPBC Act and EPBC Regulations.</li><li>Manages the import and export permit application processes for CITES specimens, regulated native specimens, and regulated live imports.</li></ul>

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Role	Description
	<ul style="list-style-type: none"> <li>Provides policy advice on the EPBC Act and EPBC Regulations to the Department and the ABF.</li> <li>At the request of the Department or the ABF, assists with the identification of CITES specimens, regulated native specimens, and regulated live imports.</li> </ul>
Seizures and Triage Section, DoEE	<ul style="list-style-type: none"> <li>Manages all seized specimens, including live specimens (live specimens should be reported to s. 47E(d) as soon as detected).</li> <li>Assessment of applications for return of seized specimens and authorisation to dispose.</li> <li>Provide advice on whether to seize specimens.</li> <li>Provides CITES awareness training to ABF.</li> <li>Manages alleged breaches of Part 13A of the EPBC Act.</li> </ul>
Biosecurity, Department of Agriculture	<ul style="list-style-type: none"> <li>Administers the Biosecurity Act.</li> <li>Manages the import permit application process for regulated live plants.</li> <li>Manages quarantine procedures at the Australian border.</li> </ul>
All Departmental and ABF Officers	<ul style="list-style-type: none"> <li>Ensure all records created as a result of this Procedural Instruction are managed in accordance with the Records Management Policy – Policy Statement (TI-1094).</li> </ul>

## 5. Version Control

Version number	Date of issue	Author(s)	Brief description of change
0.1	06/2011	Unknown	Original – 2010/011344
0.2	05/2017	Trade and Goods Operational Policy	To comply with the Department's PPCF
0.3	06/2017	Trade and Goods Operational Policy	Minor edits for formal consultation
0.4	09/2017	Trade and Goods Operational Policy	Incorporate minor edits required by PPCF team
0.5	08/2018	Trade and Goods Operational Policy	Review of document to meet current PPCF requirements, address minor deficiencies in content, and prepare document for formal PPCF consultation

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Version number	Date of issue	Author(s)	Brief description of change
0.6	09/2018	Trade and Goods Operational Policy	Minor content adjustments to incorporate stakeholder feedback prior to PPCF Quality Assurance process
0.7	10/2018	Trade and Goods Operational Policy	Minor adjustments based on legal advice prior to approval and publication
0.8	10/2018	Trade and Goods Operational Policy	Final version for publication
0.9	10/2019	Trade and Goods Operational Policy	Update to include wetstamping and introduction of GMS Release 2.
0.9	02/2020	Trade and Goods Operational Policy	Minor amendments to link to new procedural instructions.

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## Attachment A – Definitions

Term	Acronym (if applicable)	Definition
Animal		In accordance with the definition provided in section 528 of the EPBC Act, animal means any member, alive or dead, of the animal kingdom (other than a human being).
Australian Federal Police	AFP	The AFP's role is to enforce Commonwealth criminal law, contribute to combating complex, transnational, serious and organised crime affecting Australia's national security and to protect Commonwealth interests from criminal activity in Australia and overseas.
<i>Biosecurity Act 2015</i>	Biosecurity Act	Means the <i>Biosecurity Act 2015</i> .
CITES Appendix I		CITES Appendix I lists species currently threatened with extinction from international trade.
CITES Appendix II		CITES Appendix II lists species not currently threatened with extinction but which could become so if trade is not regulated.
CITES Appendix III		CITES Appendix III lists specific populations of species, or species threatened only in a specific country.
CITES Specimen		In accordance with the definition provided in section 528 of the EPBC Act, a CITES specimen means a specimen of a species included in Appendix I, II, or III to the CITES.
<i>Convention on International Trade in Endangered Species of Wild Fauna and Flora</i>	CITES	CITES is an international agreement between governments, drafted to ensure that international trade in specimens of wild animals and plants does not threaten their survival.
<i>Customs Act 1901</i>	Customs Act	Means the <i>Customs Act 1901</i> .
Department of Agriculture		Department of Agriculture is the Australian Government department responsible for the development and implementation of policies and programs to ensure Australia's agricultural, fisheries, food and forestry industries remain competitive, profitable and sustainable, and supports the sustainable and productive management and use of rivers and water resources.
Department of the Environment and Energy	DoEE	The DoEE is an Australian Government department, established in July 2016, responsible for matters including environmental protection and conservation of biodiversity as well as energy policy. The DoEE administers the EPBC Act

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Term	Acronym (if applicable)	Definition
		and the EPBC Regulations. It also manages the import and export permit schemes for wildlife and wildlife goods.
Department of Home Affairs	The Department	The Department is a central policy agency, providing coordinated strategy and policy leadership for Australia's national and transport security, federal law enforcement, criminal justice, cyber, border, immigration, multicultural affairs, emergency management and customs-related functions.
s. 37(2)(b)		
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	EPBC Act	The EPBC Act provides for the regulation of the import and export of wildlife and wildlife goods.  It gives force to the principles and requirements of CITES in Australian law.
<i>Environment Protection and Biodiversity Conservation Regulations 2000</i>	EPBC Regulations	Regulations made under the EPBC Act.
Detained Goods Management System	DGMS	The Department's system for recording detained and seized firearms and intellectual property rights goods.
Examination Data Management System	EXAMS	EXAMS is the system that allows the Department to standardise the collection nationally of examination data across the different import and export environments. It is linked to the Integrated Cargo System (ICS).
Goods Management System	GMS	The Department's system for recording detained and seized goods, excluding firearms and intellectual property rights goods which remain in DGMS.
Inspector		For the purposes of the EPBC Act, and in accordance with the definition provided in section 528 of that Act, inspector means:  a) a person appointed as an inspector under section 396;  b) a person who is an inspector because of section 397 or  a person who is an inspector because of an arrangement entered into under section 398.

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Term	Acronym (if applicable)	Definition
Integrated Cargo System	ICS	The only method of electronically reporting the movement of goods across Australia's borders. The system features sophisticated risk management technology to help ABF officers target high-risk cargo, and introduces new compliance assurance models with an emphasis on working with industry to ensure accurate risk assessment and the swift movement of low risk freight.
<i>List of CITES Species for the Purposes of the Act (29/11/2001)</i>	CITES List	The CITES List is made under section 303CA of the EPBC Act. It includes all CITES species from Appendix I, II, and III, which are subject to import and export controls at the Australian border under Part 13A of the EPBC Act.
<i>List of Exempt Native Specimens Instrument 2001</i>	LENS	The LENS is made under subsection 303DB(1) of the EPBC Act. It includes all specimens of native Australian plants and animals that are exempt from export controls under Part 13A of the EPBC Act.
<i>List of Specimens taken to be Suitable for Live Import (29/11/2001)</i>	Live Import List	The Live Import List is made under section 303EB of the EPBC Act. It includes all specimens of non-CITES plants and animals that are taken to be suitable for live import to Australia.
Live Animal		In accordance with the definition provided in section 528 of the EPBC Act, live animal includes the live animal and any reproductive material.
Live Plant		In accordance with the definition provided in section 528 of the EPBC Act, live plant includes the live plant and any reproductive material.
s. 37(2)(b)		
Personal Protective Equipment	PPE	Refers to protective clothing, helmets, goggles, or other garments or equipment designed to protect the wearer's body from injury or infection.
Plant		Consistent with the definition provided in section 528 of the EPBC Act, plant means a member, alive or dead, of the plant kingdom or the fungus kingdom, and includes a part of a plant and plant reproductive material.
Pre-CITES Specimens		Specimens of CITES species harvested before the date of listing on CITES.

Term	Acronym (if applicable)	Definition
Regulated Live Specimen		For the purposes of the EPBC Act, and under section 303EA, a regulated live specimen means a specimen that: <ul style="list-style-type: none"><li>a) is a live animal or a live plant; and</li><li>b) is not included in Part 1 of the Live Import List.</li></ul>
Regulated Native Specimen		For the purposes of the EPBC Act and under s303DA, a regulated native specimen means a specimen that: <ul style="list-style-type: none"><li>a) is, or is derived from, an Australian native animal or plant; and</li><li>b) is not included in the LENS.</li></ul>
Wildlife		Consistent with the definition provided in s528 of the EPBC Act, wildlife means: <ul style="list-style-type: none"><li>(a) an animal; or</li><li>(b) a specimen derived from an animal; or</li><li>(c) a plant; or</li></ul> a specimen derived from a plant.

## Attachment B – Assurance and Control Matrix

### 1.1. Powers and Obligations

Legislative Provision			Is this a delegable power?	If delegable, list the relevant instruments of delegation
Legislation	Reference (e.g. section)	Provision		
<i>Customs Act 1901</i>	50	Prohibition of the importation of goods	No	
<i>Customs Act 1901</i>	186	General powers of examination of goods loaded onto or unloaded from ships or aircraft	N/A	Power is exercisable by officers of Customs in their own right
<i>Customs Act 1901</i>	186A	Power to make copies of, and take extracts from, documents in certain circumstances	N/A	
<i>Customs Act 1901</i>	190	Securing goods	N/A	
<i>Customs Act 1901</i>	195	Power to question passengers, etc	N/A	
<i>Customs Act 1901</i>	198	When search warrants relating to premises can be issued	N/A	Power is exercisable by executing officers in their own right
<i>Customs Act 1901</i>	199A	When search warrants relating to persons can be issued	N/A	
<i>Customs Act 1901</i>	202A	Copies of seized things to be provided	N/A	Power is exercisable by officers of Customs in their own right
<i>Customs Act 1901</i>	203	When seizure warrants for forfeited goods can be issued	N/A	
<i>Customs Act 1901</i>	203A	The things that are authorised by seizure warrants for forfeited goods	N/A	
<i>Customs Act 1901</i>	203B	Seizure without warrant of special forfeited goods, or of evidential material relating to special forfeited goods, at a Customs place	N/A	Power is exercisable by officers of Customs in their own right
<i>Customs Act 1901</i>	203D	How an authorised person is to exercise certain powers	N/A	
<i>Customs Act 1901</i>	203E	Conduct of ordinary searches and frisk searches	N/A	

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Legislative Provision			Is this a delegable power?	If delegable, list the relevant instruments of delegation
Legislation	Reference (e.g. section)	Provision		
<i>Customs Act 1901</i>	203K	Specific powers available to executing officers	N/A	Power is exercisable by executing officers in their own right
<i>Customs Act 1901</i>	203N	Receipts for things seized under warrant	N/A	
<i>Customs Act 1901</i>	203R	Retention of things seized as evidential material	N/A	
<i>Customs Act 1901</i>	203S	Magistrate may permit a thing seized as evidential material to be retained	N/A	
<i>Customs Act 1901</i>	227F	Officer may take custody of <u>items</u>	Yes	ABF (CG) No.1 of 2018
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	397	Officer of Customs as an Inspector ex officio	N/A	Power is exercisable by officers of Customs in their own right
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	444A	Seizure of specimens involved in contraventions of Part 13A	N/A	Power is exercisable by officers of Customs in their own right
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	444B	Notice about seizure	N/A	Power is exercisable by officers of Customs in their own right

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## 1.2. Controls and Assurance

Related Policy	Prohibited and Restricted Imports and Exports Policy Statement (TT-4889)
Procedures / Supporting Materials	<p>Conducting Air and Sea Cargo Targeted Examinations Procedural Instruction (TT-1784)</p> <p>Conducting Programmed Cargo Examinations Procedural Instruction (TT-6430)</p> <p>Detained Goods Management Procedural Instruction (TT-4786)</p> <p>Detention and Seizure of Prohibited and Restricted Goods Procedural Instruction (TT-2403)</p> <p>International Mail Management Procedural Instruction (TT-2827)</p> <p>Managing Goods in the Goods Management System (GMS) Supporting Material (TT-6393)</p> <p>Air Cargo Coverage Program Procedural Instruction (TT-2605)</p> <p>Air Cargo – Creating and Completing EXAMS Records Procedural Instruction (TT-1776)</p> <p>Detained Goods Management Procedural Instruction (TT-4786)</p> <p>International Mail Management (TT-2827)</p> <p>Detention and Seizure of Prohibited and Restricted Goods Procedural Instruction (TT-2403)</p> <p>Processing Unaccompanied Personal Effects at the Border Procedural Instruction (TT-2399)</p> <p>Air Cargo – Creating and Completing an EXAMS Record Procedural Instruction (TT-1776)</p> <p>Air Cargo – Coverage Program Procedural Instruction (TT-2605)</p>
Training/Certification or Accreditation	Nil.
Other required job role requirements	Nil.
Other support mechanisms (eg who can provide further assistance in relation to any aspects of this instruction)	<p>The Trade and Goods Operational Policy section can provide support and assistance in regards to the policies and procedures outlined in this document via s. 47E(d) [redacted]@abf.gov.au.</p>
Escalation arrangements	<p>If there are concerns with this document, or an issue requires escalation, the Trade and Goods Operational Policy section must be contacted via s. 47E(d) [redacted]@abf.gov.au.</p>

Recordkeeping (eg system based facilities to record decisions)	<p>TRIM RM8 – approved departmental electronic document and records management system used to record any supporting documentation and official correspondence in relation to the management of tobacco at the border.</p> <p>Other border specific systems include:</p> <ul style="list-style-type: none"><li>• Border Receipting: for calculating duty and tax on revenue attracting goods.</li><li>• s. 37(2)(b)</li><li>• DGMS: for recording detained and seized goods (other than tobacco products that are prohibited imports).</li><li>• GMS: for recording detained and seized tobacco (tobacco products that are prohibited imports).</li><li>• s. 37(2)(b)</li></ul> <p>Official Notebooks –to make contemporaneous notes to record all daily duties and detailed information regarding operational activities and events.</p>
Control Frameworks (please refer to a specific document outlining QA or QC arrangements)	<p>The <u>Organisational Compliance Management (SM-5385)</u> Policy Statement and <u>Organisational Compliance Management Guidance (SM-5386)</u> Procedural Instruction articulate over-arching principles of assurance and control.</p>
Job Vocational Framework Role	<p>This PI applies to ABF officers in the Border Operations vocational role.</p>

## Attachment C – Consultation

### 1.1. Internal Consultation

- Regional Commands, Port Operations Command
- Customs Compliance Section, Port Operations Command
- Traveller Operational Policy Section, ABF Governance Branch
- Environmental Goods and Product Safety Section, Customs and Border Revenue Branch

### 1.2. External Consultation

- Department of the Environment and Energy