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Airport CCTV – data handling

Procedural Instruction

This instruction provides guidance in relation to correct Closed Circuit Television (CCTV) data handling procedures, including the release of CCTV data information and recorded media to other government agencies.

Approval Date	21 May 2018
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Contact	s. 11C(1)(b) @abf.gov.au
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1. Introduction

1.1. Background

Given the sensitive nature of Closed Circuit Television (CCTV) data, clear guidelines are required for the correct handling and storage of CCTV data, including privacy considerations and the destruction of CCTV data.

Release of CCTV data externally is a sensitive and must only occur in accordance with policy and legislative requirements. Section 44 of the *Australian Border Force Act 2015* (Australian Border Force Act) sets the framework for the release of Australian Border Force (ABF) information to other agencies.

2. Scope

2.1. In Scope

This procedural instruction provides guidance to Australian Border Force (ABF) officers in relation to correct Closed Circuit Television (CCTV) data handling procedures, including the release of CCTV data information and recorded media to other government agencies.

Given the sensitive nature of CCTV data, clear guidelines are required for the correct handling and storage of CCTV data. This includes privacy considerations and the destruction of CCTV data.

This procedural instruction applies to staff in the aviation environment.

2.2. Out of Scope

This procedural instruction does not cover how to operate the CCTV system.

Clearance of travellers and/or goods under the *Customs Act 1901* (Customs Act).

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3. Glossary

Table 1 – Common terms and definitions used in this instruction

Term	Acronym (if applicable)	Definition
Air Border Security Control Room	ABS	Is a Closed Circuit Television Control Room that uses techniques and methods to protect travellers, staff and planes that use the airports from accidental/malicious harm, crime and other threats.
Australian Border Force	ABF	The Australian Border Force is an agency within the Home Affairs portfolio responsible for offshore and onshore border control enforcement, investigations, compliance and detention operations in Australia.
Australian Border Force officer	ABF officer	An ABF officer is an Immigration and Border Protection worker (see section 4 Australian Border Force Act) authorised to perform border clearance duties.
Closed Circuit Television	CCTV	Is a system of video monitoring at Australia's international airports and seaports.
Closed Circuit Television Operator		A CCTV operator works in a central control room, monitoring and controlling a bank of screens.
Compact Disc	CD	Is a digital optical disc data storage format.
Digital Video Disc	DVD	Is a digital optical disc storage format. Has a higher storage capacity.
Digital Video Recorder	DVR	Is an electronic device that records video in a digital format to a disk drive, USB flash drive, SD memory card or networked mass storage device.
Super Video Home System	SVHS	Analog video recording on tape cassettes.
Write once read many	WORM	Is a data storage device in which information, once written cannot be modified.

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4. Procedural Instruction

PART A – CCTV data handling

4.1. Privacy

Due to the sensitive nature of camera surveillance, management of the national CCTV network must be in accordance with existing legal frameworks and must be maintained with a high standard of integrity and accountability at all times.

The following privacy principles apply:

- Australian Border Force (ABF) officers must treat all information gathered through CCTV as sensitive and make themselves fully conversant with relevant policy regarding the handling and release of any information, recorded or otherwise, obtained through the CCTV system
- recorded images must be collected through lawful means in accordance with the *Privacy Act 1988* (Privacy Act)
- recorded images must be retained for enforcement and regulatory evidentiary purposes or at the request of intelligence agencies. All other recorded images must be overwritten in accordance with system requirements
- CCTV data must only be used by other law enforcement and regulatory agencies for the purposes of investigating whether an offence has been committed against the law of the Commonwealth of Australia or a territory or for the performance of its functions on the understanding that it will not be disclosed or further produced except where required or permitted by law.

4.2. Disclosure of information

Disclosure of information must be in accordance with:

- Section 44 of the *Australian Border Force Act 2015* (Australian Border Force Act)
- *Freedom of information Act 1982* (Freedom of Information Act)
- Section 70 of the *Crimes Act 1914* (Crimes Act).

Under no circumstances should CCTV data be released from any control room or Air Border Security (ABS) room or other place without the appropriate approval and documentary handover as per procedures outlined in Part B of this Procedural Instruction.

4.3. Requests from external agencies

ABF cannot mutually share camera feeds with any other port authority or agency, except where there is a legislative requirement or a formal agreement (e.g. Memorandum of Understanding) in place.

The CCTV system will be available to other appropriate/relevant law enforcement agencies for tasks on a needs and priority basis subject to release of information being in accordance with the provisions of Section 44 of the *Australian Border Force Act 2015*. External stakeholders are required to lodge tasking's requests in the same manner as internal requests.

The ABF officer who is authorised is to complete the *Authority to Disclose Immigration and Border Protection information*. The ABF officer must be satisfied that a training course has been completed. Once complete,

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the ABF officer is to hand the *Authority to Disclose Protected Information – General* and *Request for CCTV Information (external agency)* forms to a CCTV operator for action.

The Authority to Disclose Immigration and Border Protection information form does not need to be completed if an ongoing authorisation is in place, authorising the disclosure to the recipient agency.

4.4. CCTV camera sharing with non-government agencies

The CCTV cameras can also be shared through legal contracts or formal agreements with Airport Owners/Operators based on the following conditions:

- feeds will only be provided from fixed cameras in non-sensitive areas of ABF controlled area at airports
- non-sensitive areas include all areas except the entry and outwards control points and the secondary examination areas
- recording and disclosure of CCTV data to third parties will not be permitted under any circumstances.

To obtain access to cameras owned by airport operator/owner, the following questions need to be answered before requesting access:

- is the camera operationally critical to ABF?
- will a fixed camera be sufficient for our purposes?

Any queries or requests regarding CCTV camera sharing or access should be directed by email s. 11C(1)(b) @homeaffairs.gov.au to Major Capability, CCTV & Enforcement Communications Branch.

4.5. Evidentiary requirements

When an incident or offence has occurred and there is a requirement to preserve CCTV data for evidentiary purposes, the following steps should be followed:

- identify relevant recorded images on the Digital Video Recorder (DVR)
- ensure that the required data is not recorded over while arrangements to save the data are being made. **S. 47E(d)**
- transfer digital data from the hard drive to a removable medium, such as a DVD or CD, in a format that allows accurate replay and production of the CCTV data. Two copies should be made – one being a master copy and the other a working copy. The master copy is retained for accountability and audit purposes
- if not using an already labelled DVD/CD, label all DVDs/CDs and tapes with the information contained in the sample template at (**Attachment C**). This can be by hand, sticker or other label
- record details in the relevant register
- release of CCTV data must occur in accordance with section 44 of the *Australian Border Force Act 2015* (Australian Border Force Act)
- master copies of CCTV data must be stored in accordance with the provisions of the Department of Home Affairs Security Handbook located on the Intranet.

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4.6. Removable storage media

Removable storage media is designed to be removed from a CCTV system. Examples include portable hard disks (including hard disk caddies), DVDs, CDs, floppy disks, tapes, smartcards, flashcards and thumb drives.

All removable computer disks, tapes, floppy disks, tapes, smartcards, flashcards, portable memory devices and digital photographs are to be marked conspicuously to indicate the security classification of the stored data. Current policy states that unless otherwise specified, all portable CCTV storage media must be marked with a PROTECTED security classification. For further information, see *Procedural Instruction: Airport CCTV Data Security Classification*.

Removable storage media must also be marked with the following caution (See *Attachment D* for copy of the template):

- *This disc is made available to the recipient for the performance of the recipient's functions in investigating whether an offence has been committed against a law of the Australian Commonwealth or an Australian State or Territory. This information is disclosed on the understanding that it will not be used or further disclosed except for the purpose for which it was provided by Australian Border Force or otherwise as required or authorised by law.*

Removable storage media containing classified information must be stored in accordance with the Department of Home Affairs Security Handbook requirements for information of that classification. The required class of container is determined by the classification of the information on the media and the physical security standard of the area in which the container is located. The effective classification level of the media may be reduced by the use of appropriate encryption. For further information, see *Procedural Instruction: Airport CCTV Data Security Classification*.

4.7. Managing digital video recordings

The digital CCTV system uses storage devices in the form of hard disk drives for the direct storage of video files. Due to the limited capacity of hard drives, data stored on hard drives is automatically overwritten after a pre-set time. Prior to CCTV data being overwritten, some or all of the recorded images may be transferred to removable storage media on a case-by-case basis.

There are several types of recording medium suitable for use in copying digital video images from fixed hard drives:

- Magnetic tape, including conventional VHS videotape or Super VHS (SVHS) videotape.
- Non-reusable removable medium or WORM (Write Only Read Many) medium including:
 - CD+R
 - DVD+R
- Reusable, removable, non-tape media, memory cards including:
 - Portable Hard Drives
 - CD+R
 - DVD+R.

For reasons of security and data integrity only media such as DVD+R and CD+R should be used for creating copies, unless there is a specific reason to use other forms of recording media and permission from the relevant Supervisor and or Manager has been received.

4.8. Copy to DVD or CD

In order to preserve CCTV data indefinitely it must be copied on to portable recording media, generally DVD+R or CD+R. Once the data has been successfully copied onto DVD+R or CD+R the original data on

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the local drive of the computing system should be deleted. Where CCTV data is used for evidentiary purposes, two copies should be made. For routine inquiries or review purposes, only one copy may be required.

The first copy is to be identified as the master copy and will be labelled and treated as such. A working copy is usually produced simultaneously, or immediately after the master is produced. The working copy is the version that will be used as part of an investigation and to assist in the preparation of the prosecution file.

Transfer to DVD or CD should be carried out as soon as possible to reduce the time and opportunity for alteration to original images stored on the hard drive. For evidentiary purposes 'bit for bit' copies such as master and working copies are regarded as the same as original CCTV data stored on a hard drive. This does not remove the necessity to protect the master as an exhibit.

s. 47E(d)

4.9. Creating master and working copies

The Master copy should be:

- on Write Once Read Many (WORM) removable media
- labelled as MASTER Copy, including date and time of recording and camera details (as per the template provided in Attachment D)
- stored in a form and manner, with software if required, so that the images may be viewed in the future
- placed in a suitable protective case, sealed and retained in secure storage in accordance with exhibit protocols
- copied in the same format as it was first captured on original hard drive.

The master copy should not be used, except to produce additional working copies when no working copies are available to copy, or by order of the court to establish authenticity.

The Working copies should be:

- on WORM removable media
- where possible, made at the same time as the master copy, either directly from the hard drive or made at a later time from the master copy
- labelled as WORKING Copy and include date and time of recording and camera details
- stored in a form and manner, with software if required, so that the images may be viewed in the future
- copied in the same format as it was first captured on original hard drive.

4.10. Handling DVDs and CDs

Digital media should be stored in clean environments, avoiding strong light and chemical contamination. Office environments are generally suitable for the storage of DVDs and CDs. Allowing DVDs and CDs to become dirty or scratched damages the media and can affect the integrity of the data stored on these disks.

PART B – Release of Information to other Government Agencies

4.11. Request by external agency

A *Request for CCTV Information (external agency) form B1203 (Attachment A)* is completed by a requesting agency and submitted to an Authorising officer who is responsible for the CCTV.

If the agency requesting the information is an agency with which Australian Border Force has an ongoing authorisation, the request can be submitted, through *the Request for CCTV Information (external agency) form* or directly to the Authorising officer who will complete the form on their behalf.

In order to complete the *Request for CCTV Information (external agency) form* on behalf of the recipient agency the following details are required:

- details of the request
- media type
- requesting agency
- requesting officer details.

The ABF officer is to complete the Authority to Disclose Immigration and Border Protection information – one off authorisation form **(TRIM ADD2018/78378)**. **Note:** This form is intended to be used internally to provide the authorisation in writing required by s44 or s45 of the Australian Border Force Act. It is not intended to be provided to external bodies accompanying disclosures. The ABF officer must be satisfied that a training course has been completed. Once complete, the ABF officer is to hand the *Authority to Disclose Immigration and Border Protection information* and *Request for CCTV Information (external agency)* forms to a CCTV operator for action.

The Authority to Disclose Immigration and Border Protection information form does not need to be completed if an ongoing authorisation is in place, authorising the disclosure to the recipient agency.

4.12. Capture information

Once the completed forms have been received, the CCTV operator is to capture the requested information and record it to the required medium (eg. DVD or printed hard copy).

The DVD/Photo is to be endorsed with the following statement and information:

- *This document is made available to [insert agency] for the purposes of investigating whether an offence has been committed against a law of the Commonwealth or a Territory or for the performance of its functions on the understanding that it will not be disclosed or further produced except when required or permitted by law.*
- person recording the information
- person provided to
- subject
- date
- security classification marking on the disk or photo.

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For Official Use Only**4.13. Release of media**

The media is to be placed in an envelope, sealed with a Australian Border Force seal and endorsed with the following information on the front of the envelope:

- person provided to
- subject
- date.

Place the envelope containing the media in the control room safe until it is collected by the requesting person or their nominated person. The identity of the requesting officer or nominated person must be verified by sighting the ABF officer's identification pass. Release of media to a nominated officer should only occur when previously advised by the requesting officer or confirmed directly with the requesting officer. The Issuing agency and identification number are to be recorded in the Control Room Release of Information Logbook (Logbook) (**Attachment B**).

4.14. Record keeping

The following details of the requested information are to be entered in the relevant Log Book (**Attachment B**):

- date of request
- format e.g. Tape, DVD, CD or photograph
- releasing officer.

Agencies that have an ongoing authorisation to disclose with ABF are still required to have their request details recorded in the relevant logbook and their request kept on file.

The Log Book reference number for the request is to be inserted into the *Request for CCTV Information (external agency)* form.

Attach the *Request for CCTV Information (external agency)* form to the *Authority to Disclose Protected Information – General form* and file under the corresponding month in the Request for CCTV Information folder.

When the recipient arrives to collect the media, complete the entry in the Release of Information Logbook (**Attachment B**) including:

- date of collection
- collector's name and agency
- collector's signature
- releasing officer.

4.15. Compliance and efficiency reporting

On a fortnightly basis, the ABF officer is to conduct a compliance check of the Release of Information Logbook (**Attachment B**) and Request for CCTV Information folder. This is to ensure that information is being correctly recorded, all details in the logbook and request forms are being recorded entirely, and that no requests are outstanding.

In the event that discrepancies are identified through this check, it must be reported to the Airport Manager. The Airport Manager then makes a determination as to whether the discrepancy should be further reported and the appropriate remedial action to be taken.

5. Accountability and responsibilities

If ABF officers require clarification or assistance in regard to this instruction, they should contact the National Border Programme by email [S. 11C\(1\)\(b\)@abf.gov.au](mailto:S.11C(1)(b)@abf.gov.au) or telephone: S. 47E(d) AEST.

The Superintendent, National Border Programme has responsibility for the preparation and dissemination of this Procedural Instruction in regards to operational policy and programme management of border clearance activities for air and sea travellers, under the Customs Act and Migration Act.

The Director, Traveller Policy Advice and Support section has responsibility for preparation and dissemination of the Policy Statement in relation to this Procedural Instruction.

6. Statement of Expectation

This Procedural Instruction under the PPCF sets out guidance and directions to workers on how to implement the Department's policy.

It is expected that all workers who are subject to this Procedural Instruction will have due regard to it and will only depart from it if:

- a) the departure is reasonable and justified in the circumstances;
- b) all risks have been considered; and
- c) approval has been sought and responsibility accepted for documenting the justification for the decision.

Workers are required to comply with all reasonable and lawful directions contained in this Procedural Instruction. Failure to comply with a direction may be considered a breach of the Australian Public Service Code of Conduct (for APS employees) or the *Professional Standards Secretary's Direction* under section 55 of the *Australian Border Force Act 2015* (for non-APS employees).

All records created as a result of this procedure must be managed in accordance with the Records Management Policy Statement. Records created as a result of this policy/procedure must be saved in TRIM RM8 or an approved business system.

7. Related Framework documents

This instruction must be read in conjunction with the following documents:

7.1. Policy Statement

[TT-2983] Border Clearance

7.2. Procedural Instructions

[TI-743] Airport CCTV – Data Security Classification

8. References and legislation

8.1. Australian Border Force Act 2015

This Act is important in the context of this instruction, particularly:

- Section 44 – Disclosure to certain bodies and persons
- Section 45 – Disclosure in accordance with agreements

8.2. Freedom of Information Act 1982

An Act to give to members of the public rights of access to official documents of the Government of the Commonwealth and of its agencies.

8.3. Crimes Act 1914

This Act sets out the requirements relating to Offences against the Commonwealth.

- Section 70 – Disclosure of information by Commonwealth officers.

9. Consultation

9.1. Internal consultation

The following internal stakeholders were consulted in the development of this Procedural Instruction:

- Integrity and Professional Standards, Integrity and Professional Standards Branch
- FOI Privacy and Records Management Branch, Records Management Section
- Traveller Policy Branch, Traveller Policy Advice and Support Section.

9.2. External consultation

No external consultation.

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10. Document details

BCS Category/Function	Trade & Traveller Clearance Management
BCS Sub-Category/Sub-Function	Passenger and Crew Processing
Period of Effect	Three years from date of original approval.

10.1. Document change control

Version number	Date of issue	Author(s)	Brief description of change
1.0	17 May 17	s. 47F	Update of document into PI.
1.1	30 Jan 18	s. 47F	Cleared PPCF Quality Assurance.
1.2	21 Feb 18	s. 47F	Reviewed for SES approval.
1.3	22 May 18	s. 47F	Converted to Home Affairs template and reviewed for SES approval.

10.2. Approval

Approved by:	Don SMITH Commander ABF Governance
Approved on (date):	21 May 2018

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11. Appendices

11.1. Attachment A – B1203 – Request for CCTV information (external agency)

(Available on Department of Home Affairs website)

FREEDOM OF INFORMATION ACT		PRIVACY ACT		AUSTRALIAN BORDER FORCE ACT	
If a request under the FOI Act is received for access to footage released in response to this request, or an extract of, please consult our FOI Coordinator in the Department of Immigration and Border Protection FOI section.		The provisions of the Privacy Act should be complied with by anyone handling personal information contained within the footage released in response to this request.		Any information that may be disclosed by ACBPS in response to this request may be subject to Part 6 of the Australian Border Force Act 2015.	
Request For CCTV Information (external agency)					
Urgency of Request: Please tick one of the following Routine ☐ (action within 3 Days) Priority ☐ (action within 1 Day) Immediate ☐ (action within 2 hours)					
Details of Request					
Date of Incident & Location					
Flight No.					
Alert No. (if applicable)					
Passenger name (if applicable)		First Name		Last Name	
Reason for Request					
Media Format Required (please tick) Note: all images and footage are security classified as Protected. Changing this classification is a security breach.					
DVD copy of Digital Video Footage	☐ Number of copies:	Photograph digital video image	☐ Number of copies:		
Photograph hard copy	☐ Number of copies:	Emailing of digital video	☐ Number of copies:		
Emailing of digital photograph	☐ Number of copies:		☐ Number of copies:		
Requesting Officer			Collecting Officer (if different to requesting officer)		
Full Name		Full Name			
Agency		Agency			
ASIC/Badge No.		ASIC/Badge No.			
Contact Phone No.		Contact Phone No.			
Signature		Signature			
Officer of Customs (APS 6 or above) - Please note that any disclosure of information by an officer within the Department of Immigration and Border Protection in response to this request must comply with Part 6 of the Australian Border Force Act 2015.					
Full Name		Title and contact Phone No.			
Signature		Date		/ /	

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11.2. Attachment B - Control Room Release of Information Log Book

s. 47E(d)



11.3. Attachment C –Sample label template

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**Australian
BORDER FORCE**

Recipient: _____
Subject: _____

Log Reference No: _____
Task No. _____

Disc _____ of _____
Date of Footage _____
Date of Release _____

CCTV FOOTAGE

This disc is made available to the recipient for the performance of the recipient's functions in investigating whether an offence has been committed against a law of the Australian Commonwealth or an Australian State or Territory

This information is disclosed on the understanding that it will not be used or further disclosed except for the purpose for which it was provided by Australian Border Force or otherwise as required or authorised by law.

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Airport CCTV - Incident response

Procedural Instruction

This instruction provides Closed Circuit Television (CCTV) processes to follow in instances of Passenger Analysis Clearance Evaluation Alarm (PACE) alerts or duress alarms triggering, as well as managing general surveillance activities at airports.

Approval Date	13 June 2018
Date of Review	13 June 2019
Contact	S. 11C(1)(b) @abf.gov.au
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TRIM Reference	OPD2017/203842

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1. Introduction

1.1. Background

It is important to the operation of Closed Circuit Television (CCTV) at airports that response to major incidents is handled in a consistent and comprehensive manner. Inadequate incident response handling policies and procedures may result in incorrect actions being undertaken in the event of an incident, possibly delaying resolution and interfering with ABF ability to meet CCTV objectives, service level charters and border security requirements. The incidents included in this scope are reactions to Departmental systems and duress alarms, as well as CCTV surveillance activities.

2. Scope

2.1. In Scope

This procedural instruction provides CCTV processes to follow in instances of travellers of interest, duress alarm activation or general surveillance activities at airports.

This procedural instruction applies to staff in the Aviation and Maritime environments.

2.2. Out of Scope

This procedural instruction does not cover how to operate the CCTV system.

Clearance of travellers and/or goods under the *Customs Act 1901* (Customs Act).

3. Glossary

Table 1 – Common terms and definitions used in this instruction

Term	Acronym (if applicable)	Definition
AFP Operations Coordination Centre	AOCC	AOCC provides a centralised monitoring, initial response and coordination and communications support service for the AFP's national and international activities.
Australian Border Force	ABF	The Australian Border Force is an agency within the Home Affairs portfolio responsible for offshore and onshore border control enforcement, investigations, compliance and detention operations in Australia
Australian Border Force officer	ABF officer	An ABF officer is an Immigration and Border Protection worker (see section 4 Australian Border Force Act) authorised to perform border clearance duties.
Closed Circuit Television	CCTV	Is a system of video monitoring at Australia's international airports and seaports.
Passenger Analysis Clearance Evaluation System	PACE	Is a system used to process travellers at Australia's international air and seaports.

4. Procedural Instruction



s. 47E(d)

4.2. Duress Alarm

s. 47E(d)

4.3. Suveillance Activities – General

Control room officers should monitor areas such as those below to detect behaviours that indicate the need for further scrutiny:

s. 47E(d)

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4.4. Surveillance Activities – Process

s. 47E(d)

5. Accountability and responsibilities

If ABF officers require clarification or assistance in regard to this instruction, they should contact the National Border Programme by email s. 47E(d) or telephone: s. 47E(d) AEST.

The Superintendent, National Border Programme has responsibility for the preparation and dissemination of this Procedural Instruction in regards to operational policy and programme management of border clearance activities for air and sea travellers, under the Customs Act and Migration Act.

The Director, Traveller Policy Advice and Support section has responsibility for preparation and dissemination of the Policy Statement in relation to this Procedural Instruction.

6. Statement of Expectation

This Procedural Instruction under the PPCF sets out guidance and directions to workers on how to implement the Department's policy.

It is expected that all workers who are subject to this Procedural Instruction will have due regard to it and will only depart from it if:

- a) the departure is reasonable and justified in the circumstances;
- b) all risks have been considered; and
- c) approval has been sought and responsibility accepted for documenting the justification for the decision.

Workers are required to comply with all reasonable and lawful directions contained in this Procedural Instruction. Failure to comply with a direction may be considered a breach of the Australian Public Service Code of Conduct (for APS employees) or the *Professional Standards Secretary's Direction* under section 55 of the *Australian Border Force Act 2015* (for non-APS employees).

All records created as a result of this procedure must be managed in accordance with the Records Management Policy Statement. Records created as a result of this policy/procedure must be saved in TRIM RM8 or an approved business system.

7. Related Framework documents

This instruction must be read in conjunction with the following documents:

7.1. Policy Statement

[TT-2983] Border Clearance

7.2. Procedural Instructions

[BC-536] Arrival, immigration clearance at airports and seaports

8. References and legislation

8.1. Australian Border Force Act 2015

This Act is important in the context of this instruction, particularly:

- Section 44- Disclosure to certain bodies and persons
- Section 45 – Disclosure in accordance with agreements.

9. Consultation

9.1. Internal consultation

The following internal stakeholders were consulted in the development of this Procedural Instruction:

- Integrity and Professional Standards, Integrity and Professional Standards Branch
- FOI Privacy and Records Management Branch, Records Management Section
- Traveller Policy Branch, Traveller Policy Advice and Support Section.

9.2. External consultation

No external consultation.

10. Document details

BCS Category/Function	Trade & Traveller Clearance Management
BCS Sub-Category/Sub-Function	Passenger and Crew Processing
Period of Effect	Three years from date of original approval.

10.1. Document change control

Version number	Date of issue	Author(s)	Brief description of change
1.0	17 May 17	s. 47F	Update of document into PI
1.1	11 July 17	s. 47F	Cleared PPCF Quality Assurance
1.2	16 Feb 18	s. 47F	Reviewed for SES approval
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10.2. Approval

Approved by:	Don SMITH Commander ABF Governance
Approved on (date):	13 June 2018



Freedom of Information Request – FA 25/12/01786

The number of CCTV cameras within specified areas of the Perth International Airport Terminal from 23 February 2024 to 1 January 2026

Location	Number of CCTV cameras
(a) <i>in the arrivals hall at the entry gate</i> - Primary line modules and Smartgates	s. 33(a)(i), s. 47E(d)
(b) <i>in the arrivals hall at the entry gate</i> - Entry Control Point process area	
(c) Customs area immediately around the inspection desks	
Leading away from the inspection desk toward though before the exit gate into the main terminal	

**Numbers of CCTV are included at subparagraphs (a) and (b)*

s. 33(a)(i), s. 47E(d)

The Department's policy in relation to the holding of any vision captured by the CCTV cameras within specified areas of the Perth International Airport Terminal

In Australia, there is no single, mandatory, across-the-board legal retention period for CCTV footage. However, industry guidelines and standards, particularly AS 4806.1-2006 (Closed Circuit Television Management and Operation), recommend a minimum retention period of 31 days.

Notes:

1. Source: Department of Home Affairs (internal documents)

Caveats:

- *This information is provided for the specific purpose of this request.*



Australian Government
Department of Home Affairs



Australian
BORDER FORCE

OFFICIAL

Border Clearance

Policy Statement

Document ID (PPN)	TT-2983
TRIM Record Number	ADD2025/8085727
BCS Function	Trade and Traveller Clearance Management
Document Owner	First Assistant Secretary, Strategy and Border Modernisation
Approval Date	9 January 2026
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1. Purpose

This Policy Statement (PS) provides policy guidance on the Department of Home Affairs' (the Department) immigration and customs clearance processes at the border. This PS covers the clearance of international travellers in accordance with the *Migration Act 1958* (the Migration Act) and any goods being imported and exported as accompanied baggage in accordance with the *Customs Act 1901* (the Customs Act), at airports or seaports gazetted under s15 of the Customs Act and other Customs places as defined in s183UA of the Customs Act.

Border clearance refers to the processes and procedures required to allow travellers (passengers and crew) and their baggage including goods to move across Australia's physical borders while ensuring they meet the legislative requirements.

This PS outlines the legislative and policy framework that underpins these activities to ensure officers performing border clearance functions do so consistently across various ports in Australia.

2. Scope

2.1. In Scope

This PS applies to the Australian Border Force (ABF) officers engaged in the clearance activities. The following are in scope:

- Obligations relating to the arrival of travellers;
- Immigration and customs clearance of arriving travellers and their accompanied baggage; and
- Immigration and customs clearance of departing travellers and their accompanied baggage.

2.2. Out of Scope

s. 22(1)(a)(ii)

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3. Policy Statement

3.1. Border Clearance

Border clearance is the set of processes that regulate the entry and departure of persons (travellers including crews) and their personal goods (accompanied baggage) to and from Australia. Border clearance procedures assist ABF officers to understand their roles and responsibilities and to ensure persons entering and departing Australia:

- comply with Australia's entry and departure requirements (including import and export of goods);
- provide true and correct information;
- adhere to lawful directions; and
- are subject to appropriate enforcement actions.

Immigration clearance of travellers occurs in line with [Division 5 of Part 2](#) of the Migration Act. The clearance of accompanied baggage and goods is conducted under Parts [IV](#) and [VI](#) of the Customs Act. ABF officers are responsible for regulating the entry and departure of travellers into and out of Australia, including their accompanied baggage and goods. ABF officers do this by exercising their powers, and ensuring that carriers (i.e. airlines and cruise lines), crew and travellers comply with relevant obligations provided under the Migration Act, the Customs Act, and other relevant Commonwealth legislation. This is done by:

- ensuring that carriers comply with reporting and clearance obligations when arriving from overseas, or departing internationally from a port or an airport appointed under s15 of the Customs Act;
- undertaking air and sea border security functions at places such as airports or ports including searches, patrols and operations;
- assessing travel documents and confirming a traveller's identity;
- assessing whether a traveller has the appropriate authority to enter Australia;
- clearing a traveller for entry into Australia, or refusing entry and arranging for the traveller's removal;
- clearing a traveller to depart Australia;
- clearing travellers under special conditions, such as a person in need of protection, a traveller with a mental impairment, or minors in accordance with the Child Safeguarding Framework – PS (BE-916) and its associated documents;
- liaising with other government agencies at ports including the Department of Agriculture, Fisheries and Forestry (DAFF) Biosecurity officers and the Australian Federal Police (AFP);
- actioning traveller alerts and referrals;
- conducting searches of travellers and their baggage; and
- questioning non-citizens in relation to their reasons for travel (i.e. assessing bona fides).

Delegations and authorisations for ABF officers to carry out certain functions and make decisions under legislation are available on LEGEND ([ABF Delegations](#)) on the Department's intranet page and via the following links:

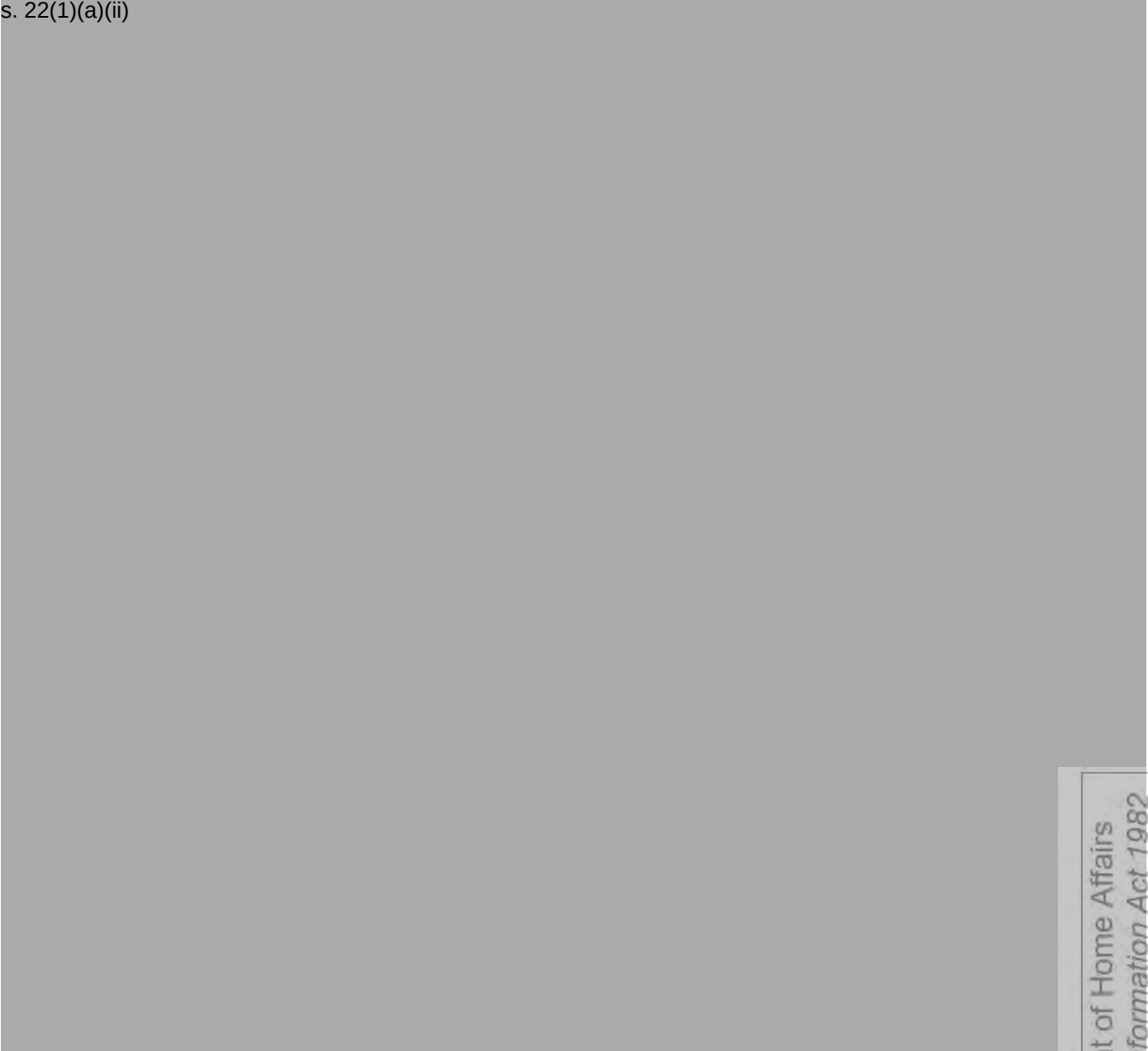
- [ABF \(S\) No.1 of 2018.pdf \(border.gov.au\)](#);
- [ABF \(M\) No.1 of 2018.pdf \(border.gov.au\)](#); and
- [MS20-002592%20-%20Minister%20signed.pdf \(border.gov.au\)](#).

In some remote locations such as Cocos (Keeling) Islands where there is no ABF presence, officers in certain agencies such as the AFP are delegated to perform a number of these clearance functions on the Department's behalf.

Authorised ABF officers may perform activities on behalf of other agencies and exercise powers under legislation administered by other departments as lawfully and operationally required. This includes collecting and disseminating information and intelligence to law enforcement agencies, undertaking joint operations with agencies such as the AFP, and providing assistance through joint airport investigative and intelligence teams and groups.

3.2. Obligations in relation to arrival and departure of vessels

s. 22(1)(a)(ii)



3.3. Immigration clearance

The Migration Act sets out the primary requirements relating to the immigration clearance of travellers at the Australian border, as follows:

- Section 166 outlines the requirement to be immigration cleared and the evidence to be produced by citizens and non-citizens;
- Section 167 provides for when and where evidence for the purpose of s166 is to be presented;
- Section [172\(1\)](#) provides the circumstances for when a person is immigration cleared;

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- Section [175](#) provides the evidence that a clearance officer may request on a person's departure.

Several other sections of the Migration Act are also important in the context of immigration clearance:

- Section [42](#) - states that a visa is essential for a non-citizen to travel to Australia;
- Section [43](#) - visa holders must usually enter at a port, noting that s43 does not apply to Special Purpose Visa (SPV) holders;
- Section [80](#) - outlines when a person is taken not to have left Australia.

The Migration Regulations specify which visas can be applied for in immigration clearance. These include:

- Subclass 444 (Special Category) visa (SCVs) for New Zealand citizens presenting a valid New Zealand passport that is in force and completed Incoming Passenger Card (IPC: and see [s32](#) of the Migration Act and the Migration Regulations for the criteria for this visa);
- Subclass 773 (Border) visas (Generally available for air arrivals but can be used for sea arrivals in limited circumstances);
- Subclass 601 (Electronic Travel Authority) visas (ETA).

The [Migration Amendment \(Unauthorised Maritime Arrivals and Other Measures\) Act 2013](#) specifically amended the Migration Act to provide that a non-citizen who enters Australia by sea and in doing so becomes an unlawful non-citizen (UNC) is an unauthorised maritime arrival (UMA), unless they are an excluded maritime arrival. Excluded maritime arrivals include New Zealand citizens who hold and produce a New Zealand passport that is in force and persons who hold and produce an ETA-eligible passport. Section 46A of the Act provides that a UMA who is in Australia and who is a UNC or who holds a temporary protection visa, a bridging visa, or a visa prescribed by r2.11A of the Migration Regulations cannot make a valid application for a visa.

Under the Migration Act, a traveller arriving in Australia must present to a clearance authority (a clearance officer or authorised system) to satisfy the requirements to be immigration cleared under s166(1) of the Migration Act. The different statuses related to immigration clearance are:

- Immigration cleared (s172(1)); or
- In immigration clearance (s172(2)); or
- Refused immigration clearance (s172(3)); or
- Bypassed immigration clearance (s172(4)).

3.4. 'Immigration cleared' status

Under [s172\(1\)\(a\)](#) and [s172\(1\)\(b\)](#) of the Migration Act, persons (whether Australian citizens or non-citizens) are immigration cleared if, and only if they;

- enter Australia at either a port as defined in the Migration Act, or at a place other than a port; and
- comply with s166; and
- leave the port or prescribed place at which they have complied with the permission of a clearance authority; and
- for non-citizens, are not in immigration detention.

Section [172\(1\)\(ba\)](#) also provides that a person is immigration cleared if they were taken under [s10](#) to have entered Australia (that is, at time of their birth) and at the time of their birth, they had at least one parent who was immigration cleared on the parent's last entry into Australia.

Section [172\(1\)\(c\)](#) provides that a person who is refused immigration clearance or bypassed immigration clearance is immigration cleared if the person is later granted a substantive visa.

Section [172\(1\)\(d\)](#) provides that a person is immigration cleared if the person is in a prescribed class of persons. There is currently no class of persons prescribed for this section.

3.5. Border clearance

Under [s172\(2\)](#) of the Migration Act, a person is in immigration clearance if the person is with an officer, or at an authorised system for the purpose of satisfying the requirements of [s166](#), and has not been refused immigration clearance.

3.6. 'Refused immigration clearance' status

Under [s172\(3\)](#) of the Migration Act, a non-citizen is refused immigration clearance if they are in immigration clearance with a clearance officer and:

- had their visa cancelled in immigration clearance (and have not been subsequently granted another visa); or
- have refused to, or are unable to, present to a clearance officer evidence of their identity (such as travel documents or immi card, or other forms of identity document) and a visa in effect, as required by [s166\(1\)\(a\)](#); or
- refused to, or are unable to, provide to a clearance officer the information required on a passenger card, as required by [s166\(1\)\(b\)](#); or
- refused to, or are unable to, comply with any requirements referred to in [s166\(1\)\(c\)](#) to provide one or more personal identifiers to a clearance officer.

Non-citizens who are refused immigration clearance will become a UNC. Under s189 of the Migration Act, non-citizens who are refused immigration clearance must be detained by an officer, if the officer knows or reasonably suspects that they are an UNC.

An Australian citizen cannot be refused immigration clearance. They will either be immigration cleared or bypass immigration clearance when they fail to comply. Please see section 3.10 below in relation to clearance of Australian citizens.

3.7. 'Bypassed immigration clearance' status

Under [s172\(4\)](#) of the Migration Act, a person, other than a person who is refused immigration clearance, bypasses immigration clearance if they are required to comply with [s166](#) but they;

- leave the port where they entered Australia without complying with s166; or
- enter Australia at a place other than a port and do not comply with s166 within the prescribed period; or
- enter at a place other than a port and [s43\(1\)\(c\)](#) of the Migration Act does not apply - i.e., there was no risk to a person's health and safety or a prescribed reason that necessitated entry at a place other than a port; or
- enter Australia at a place other than a port and, while [s43\(1\)\(c\)](#) applies (that is, a visa holder is required to enter at a port or on a precleared flight except where the person has to enter in another way because the health or safety of a person or a prescribed reason, make it necessary to enter that other way), fails to comply with s166 at a prescribed place, within a prescribed period, after entering (as provided for by [s167\(2\)](#) and reg [3.04](#) of the Migration Regulations). The prescribed period for a person to comply with s166 is within 2 working days after a person has entered Australia.

Section 174 of the Migration Act provides that a visa ceases to be in effect if a visa holder is required to comply with s166 and does not comply. For example, a ship's crew member who 'jumps' ship just before the ship arrives at a boarding station and swims to shore may be found to have bypassed immigration clearance as [s43\(1\)\(c\)](#) does not apply to the crew.

3.8. 'Complying with s166

Persons are required to comply with s166 of the Migration Act without unreasonable delay. In relation to immigration clearance at airports, 'without unreasonable delay' should be taken to mean as soon as practicable after disembarkation from the aircraft, after allowing for comfort stops, shopping and other activities. At seaports, travellers may have ship-imposed disembarkation times spread over a number of hours to ease congestion at the terminal or wharf.

Section 167 of the Migration Act provides for when and where a person must comply with s166. As per s167(1), all persons entering Australia must comply with immigration clearance at the first port of arrival unless ABF have agreed to clear travellers at on on-port. Agreements for on-port clearance should be made between ports and where practicable, enable travellers to comply with immigration and customs clearance at their final port.

3.8.1 Immigration clearance of non-citizens

A non-citizen will fail to comply with [s166\(1\)\(a\)\(ii\)](#) and [s166\(1\)\(b\)](#) of the Migration Act if one or more of the following apply:

- They do not hold a visa and cannot, or do not make an application for a visa that can be granted while in immigration clearance;
- They do not hold a visa and their application for a visa in immigration clearance is refused; or
- The visa they held is cancelled in immigration clearance (or while in-flight to enter Australia);
- They do not hold a visa, or their visa is cancelled, and their application for a visa cannot be decided within a reasonable time (for example, the person has sought to engage Australia's protection obligations);
- They cannot provide a clearance authority with a valid passport or other travel document as an acceptable evidence of identity. For example;
 - o the person has lost their passport (the ABF officer may ask for a search of the vessel or aircraft to establish whether the document was left behind);
 - o a document the person presents is found to be fraudulent and was used to obtain a visa;
 - o a passenger presents as an impostor using another person's passport (e.g. a stolen passport).

As well as complying with the travel document requirement, non-citizens must also;

- comply with any requirement, made by a clearance officer before an event referred to in s172(1)(a)(iii) or s172(1)(b)(iii) or s172(1)(c) of the Migration Act occurs, to provide one or more personal identifiers to a clearance authority; and
- if the person presents evidence to an authorised system - provide to the authorised system a photograph or other image of the person's face.

If an officer knows or reasonably suspects that a non-citizen holds a visa that may be cancelled under specified subdivisions or sections of the Migration Act, and they need to make further enquiries to make a decision about a person's right to remain in Australia, in certain circumstances an officer may detain the non-citizen for questioning. This is referred to as 'questioning detention' ([s192](#) of the Migration Act). It is distinguishable from [s189](#) detention as it is limited by time.

Section 192 detention allows for the person to be questioned about matters related to their visa for up to 4 hours. The person may however be held for a longer period for a number of reasons including providing adequate rest time, transit to a suitable place to conduct the interview and allowing the person to obtain advice, or a translator (see [s192\(7\)](#))

Section [191](#) of the Migration Act provides for the release of a person who has been detained under [s190](#) from immigration detention in clearance, or at another place if the person complies with s166 and either shows an officer evidence of being a lawful non-citizen or is granted a visa.

3.9. Exceptions to s166 immigration clearance arrangements

s. 22(1)(a)(ii)

3.10. Australian citizens and immigration clearance

Australian citizens cannot be refused immigration clearance. If a person in immigration clearance claims to be an Australian citizen, but cannot provide an Australian passport or other acceptable evidence or proof of Australian citizenship, an ABF officer should verify the person's claims against departmental holdings.

If the officer is satisfied that the person is an Australian citizen, they can still request other evidence requirements (for example, an IPC) under s166 of the Migration Act, and if provided, clear that person under s166(4) (a person is taken to have complied with subparagraph s166(1)(a)(i) if a clearance officer knows or reasonably believes that the person is an Australian citizen).

If the Australian citizen does not meet the other evidence requirements under s166, they will be taken to have bypassed immigration clearance.

If the officer does not reasonably believe the person is an Australian citizen and they do not present any evidence concerning their right to enter, they will be refused immigration clearance. This may result in the person being detained for failing to comply with s166. Where a person is detained because of [s190](#), [s191\(1\)](#) of the Migration Act provides for the release of a person from immigration detention in clearance, or at another place if:

- the person gives evidence of their identity and Australian citizenship; or
- an officer knows or reasonably believes that the person is an Australian citizen.

3.11. Visa cancellation in immigration clearance

Section [117](#) of the Migration Act provides the authority for a delegate of the Minister to cancel a person's visa under [s116](#) of the Migration Act while the person is in immigration clearance (s117(1)(b)).

The grounds for cancelling a visa while the visa holder is in immigration clearance are covered by s116 of the Migration Act and [r2.43\(1\)](#) of the Migration Regulations.

Where a non-citizen has not been immigration cleared and an authorised officer suspects there are reasonable grounds for visa cancellation and the non-citizen is not in detention, [s252\(2\)](#) of the Migration Act provides an authorised officer may search (without warrant) the person's clothing or property under the immediate control of the person to be searched. The purpose of this search is to identify any objects hidden on the person, in their clothing or in their property that may be used as a weapon to harm themselves or an officer, or used as a means to escape from immigration detention; or may be used as evidence to support visa cancellation (see paragraphs 252(4)(a) and (4A)(a)).

A non-citizen may have their visa cancelled, and be refused immigration clearance, whilst they remain within the perimeter of the port or other prescribed place as per r3.04 of the Migration Regulations at which they have been in the company of an authorised officer.

3.12. Detention and removal of persons refused immigration clearance

As previously stated, an officer must detain a non-citizen whom they know or reasonably suspect is a UNC under s189(1) of the Migration Act once they have been refused immigration clearance.

Subsection [198\(2\)](#) of the Migration Act provides for the removal of UNCs from Australia. A UNC who has been refused immigration clearance and has not applied for a substantive visa, or who had a substantive visa application finally determined must be removed as soon as reasonably practicable. If a UNC detained in immigration clearance cannot be removed immediately – for example, if the next available flight is not until the following day or later – they may be transferred to an immigration detention facility or an alternative place of detention.

In the seaport environment, the person may be prevented from leaving the vessel (ship) that the person arrived on where an officer reasonably suspects that the person is a UNC. While the person is prevented from leaving the ship in accordance with [s249](#) of the Migration Act, the person is in immigration detention.

3.13. Customs clearance

The Customs Act, the *Customs Regulation 2015* (Cth) (the Customs Regulations), the *Customs (Prohibited Imports) Regulations 1956* (Cth) (the PI Regulations), and the *Customs (Prohibited Exports) Regulations 1958* (Cth) (the PE Regs) and associated legislation, authorise ABF officers to investigate matters and make decisions relating to the clearance of goods imported and exported by travellers arriving and departing Australia.

Part [IV](#) of the Customs Act sets out the requirements for the general importation of goods. Part [VI](#) sets out the general requirements for exportation of goods.

Division 1 of Part XII of the Customs Act sets out the general regulatory powers ABF officers have in relation to travellers and their accompanied baggage and goods, as follows:

- Section [186](#) – General powers of examination of goods subject to customs control;
- Section [186AA](#) – General powers of examination of goods loaded onto or unloaded from ships or aircraft undertaking a domestic leg of an international voyage;
- Section [186A](#) – Power to make copies of, and take extracts from, documents in certain circumstances;
- Section [187](#) – Power to board and search;
- Section [195](#) – Power to question passengers;
- Section [195A](#) – Power to question persons found in restricted areas
- Section [196C](#) – Power to question persons claiming packages; and

- Section [203B](#) – Power to seize special forfeited goods at a customs place without warrant.

In accordance with the s195 of the Customs Act to question passengers, it is important to remember that this power only allows officers to require persons found on board (or those who have got off or are about to board) a ship, or an aircraft or an installation to answer questions relating to dutiable, excisable or prohibited goods (which includes goods subject to customs control) (under s195 of the Customs Act). Answers cannot be compelled unless the questions relate to any of the types of goods mentioned above.

Officers examining travellers' baggage or goods may do, or arrange for another officer of Customs or another person having the necessary experience to do, whatever is reasonably necessary to permit the examination of the goods concerned (see s186). This may include using detection tools such as detector dogs, x-ray machines, video scopes, Closed Circuit Television (CCTV) and illicit drug trace detection equipment to assist their activities, and may need to work with specialist non-ABF staff such as a Licensed Aircraft Maintenance Engineer. The officer may undertake an examination of a traveller's baggage by physical searches, x-ray and electronic screening, and materials testing. The intervention may also extend to copying of documents (including electronic media), once certain pre-conditions are met (s186A of the Customs Act)

Other operations may involve physical patrols, use of general CCTV, and examination of goods including any passenger and crew baggage to identify and respond to the suspected illegal movement of goods by port workers, and the illegal movement of dutiable, excisable, prohibited or restricted goods across Australia's border.

Under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*, ABF officers are authorised to request, search for and report (to the AFP (for undeclared or intelligence purposes) and Australian Transaction Report Analysis Centre (AUSTRAC) (reporting and intelligence)) any currency including cheques, money orders, bearer negotiable instruments and any other monetary instruments where the combined total is AUD 10,000 or more that is brought into or out of Australia. The ABF officer should ensure that the passenger completes the appropriate forms for submission through to AUSTRAC.

s. 22(1)(a)(ii)

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3.16. Travellers suspected of carrying prohibited goods

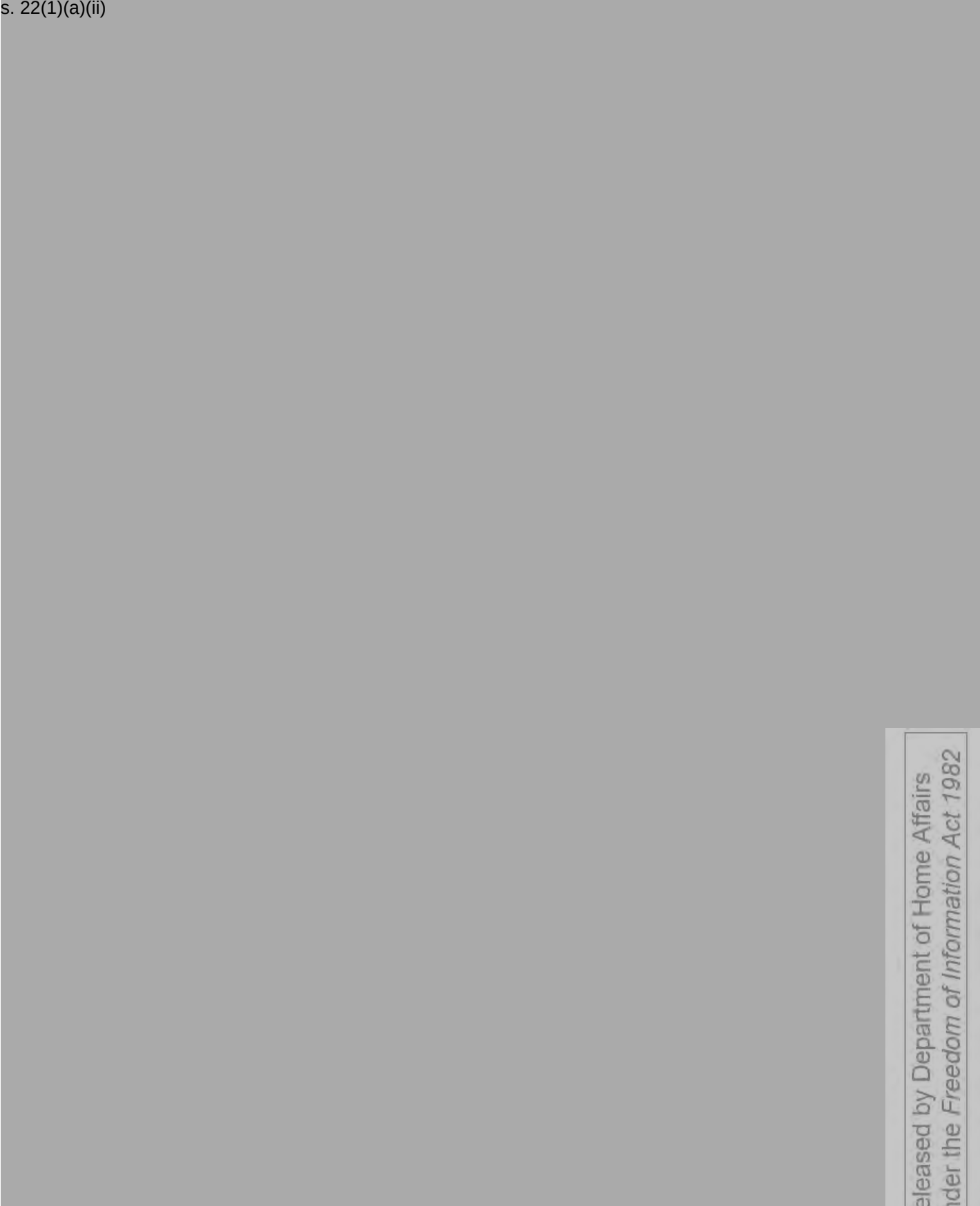
Division 1B of [Part XII - s219L - s219ZJ](#) of the Customs Act outlines the powers of ABF officers to detain and search persons suspected of carrying prohibited goods on their person (s219L – s219RAA) or suspicious substances inside their body (s219S – s219Z). For further information, refer to [Traveller intervention and response](#) – PS (TT-2985) and [Detention and Search \(s.219 Customs Act\)](#) – PI (BC-687).

Where a detention officer suspects on reasonable grounds that a person is unlawfully carrying prohibited goods on his or her body, a customs officer may detain the person and search the traveller in accordance with Division 1B of Part XII. Powers available under this Division include:

- Upgrading an examination to conduct a frisk search, external search or non-medical body scan (ss219L- 219ZJ of the Customs Act);

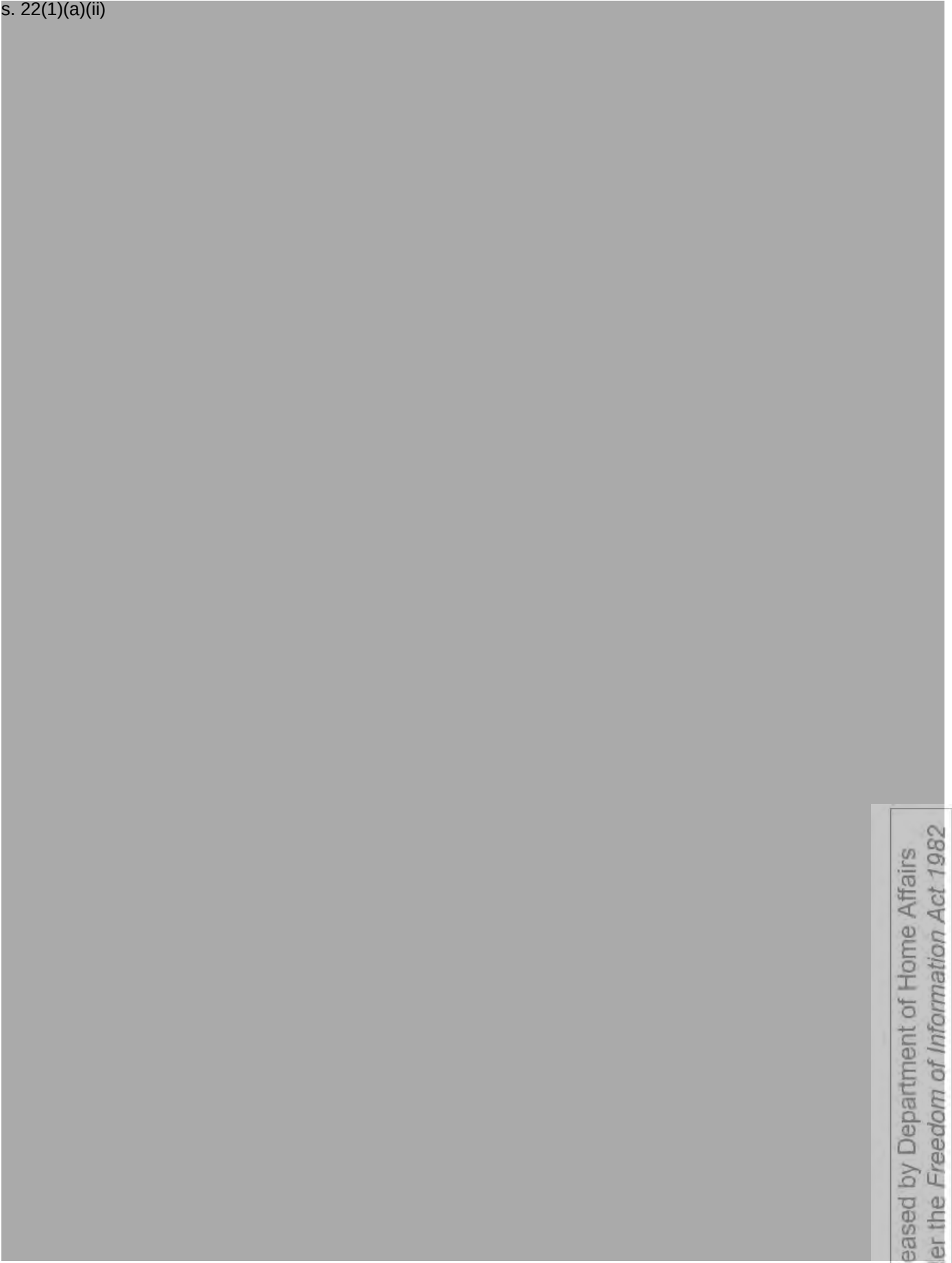
- Upgrading an examination to make arrangements for internal medical search where the officer suspects on reasonable grounds that the traveller is internally concealing a suspicious substance (s219Z).

s. 22(1)(a)(ii)



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s. 22(1)(a)(ii)



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s. 22(1)(a)(ii)

4. Accountabilities and Responsibilities

Role	Description
First Assistant Secretary, Strategy and Border Modernisation	Approves this PS. Ensures compliance of the PS with the Policy and Procedural Control Framework (PPCF).
Assistant Secretary, Traveller Frameworks and Modernisation Branch	Responsible for reviewing and updating this PS.
Director, Traveller Policy	Responsible for reviewing and updating this PS.
Superintendent, Traveller Practices, ABF	Responsible for drafting related Procedural Instructions on behalf of the ABF.

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5. Version Control

Version number	Date of issue	Author(s)	Brief description of change
1.0	22 August 2018	s. 47F	Document created
2.0	21 November 2018	s. 47F	Document edited
3.0	4 January 2019	s. 47F	Document approved
3.1	5 September 2019	s. 47F	Document edited
3.2	November 2021	s. 47F	Document edited
3.3	December 2021	Legal Group	Legal review
3.4	January 2022	Legal Group	Legal review
3.5	September 2022	Traveller Policy	Final PS
4.0	July 2023	Traveller Policy	Document edited
4.1	December 2025	Traveller Policy	PPCF cleared & Legal cleared
4.2	December 2025	Traveller Policy	Final PS

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Attachment A – Definitions

Term	Acronym (if applicable)	Definition
Australian Border Force (officer)	ABF (officer)	ABF officers or others who are authorised to perform border clearance duties. It applies to all Immigration and Border Protection workers defined under s4 of the <i>Australian Border Force Act 2015</i> , who occupy positions in the ABF.
Authorised officer		An ABF officer who has undertaken the necessary training through the ABF College and/or; under s 5(1) of the Migration Act means an officer authorised in writing by the Minister, Secretary, or ABF Commissions for the purpose of the relevant provision.
Authorised system		Under s5(1) of the Migration Act means an automated system authorised in writing by the Minister or the Secretary for the purposes of that provision.
Baggage		Under Part XII of the Customs Act, s183UA provides the definition of 'baggage' which means goods: (a) that are carried by or for a traveller, including the captain and crew members, on board the same ship or aircraft as the traveller; or (b) that a traveller intended to be so carried. (For example, baggage may have been inadvertently left off the flight the traveller is on, but arrives on the next available flight and will be taken to be 'baggage' for clearance purposes).
Biosecurity officers		Officers of the Department of Agriculture, Fisheries and Forestry who protect the border from biosecurity risks (previously the Department of Agriculture, Water and the Environment or DAWE), and are often located in SEA (see definition below) at international airports alongside the ABF officers and at port areas in the maritime environment.
Carrier		Controller of a vessel or aircraft
Clearance authority		Under s165 of the Migration Act means: (a) a clearance officer; or (b) an authorised system for the purpose of the relevant provision.
Designated place		Under s4 of the Customs Act designated place means: (a) a port, airport or wharf that is appointed, and the limits of which are fixed, under s15; or (aa) a place to which a ship or aircraft has been brought because of stress of weather or other reasonable cause as mentioned in s58(1), while the ship or aircraft remains at that place; or

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Term	Acronym (if applicable)	Definition
		(b) a place that is the subject of a permission under s58(2) while the ship or aircraft to which the permission relates remains at that place; or (c) a boarding station that is appointed under s15; or (d) a place from which a ship or aircraft that is the subject of a permission under s175 is required to depart, between the grant of that permission and the departure of the ship or aircraft; or (e) a place to which a ship or aircraft that is the subject of a permission under s175 is required to return, while that ship or aircraft remains at that place; or (f) a s234AA place that is not a place, or a part of a place, referred to in paragraph (a), (aa), (b), (c), (d) or (e).
Migration zone		Under s5(1) of the Migration Act the migration zone means the area consisting of the States, the Territories, Australian resource installations and Australian sea installations and, to avoid doubt, includes: (a) land that is part of a State or Territory at mean low water; and; (b) sea within the limits of both a State or a Territory and a port; and (c) piers, or similar structures, any part of which is connected to such land or to ground under such sea; but does not include sea within the limits of a State or a Territory but not in a port. See also s9A of the Migration Act, which concerns offshore resources activities.
Off Terminal clearance	OTC	Describes the concept where the ABF agrees to a clearance request of an aircraft and its travellers at a location (often called the General Aviation precinct) away from the international terminal building, but within the limits of an airport under s15 of the Customs Act.
Port		Port is defined in s5 of the Migration Act to mean: A proclaimed port: or A proclaimed airport. Port is defined in s4 of the Customs Act to means a port appointed under section 15.
Proclaimed Port		Proclaimed port is defined under s5 of the Migration Act as:
		(a) a port appointed under section 15 of the Customs Act; or (b) a port appointed by the Minister under subsection (5).
Proclaimed Airport		Proclaimed Airport is defined under s5 of the Migration Act as:
		(a) an airport appointed under section 15 of the Customs Act; or (b) an airport appointed by the Minister under subsection (5);
Protected Area		Protected area means an area that is: (a) part of the migration zone; and in, or in an area in the vicinity of, the Protected Zone.

Term	Acronym (if applicable)	Definition
Protected Zone		Protected Zone means the zone established under Article 10 of the Torres Strait Treaty, being the area bounded by the line described in Annex 9 to that Treaty.
Primary Line		The place where travellers first present to ABF officers (sometimes called 'Primary Line Officers') for them to consider either inwards or outwards immigration clearance matters. This could be either a place where travel documents can be manually and/or machine inspected, or a SmartGate with its associated ABF referral desk. It may also be described as Entry Control Points (ECP) and Outwards Control Points (OCP).
Travel Document		A document used by travellers to show their identity, issued by a recognised issuing authority, and includes a passport, Emergency passport, Certificate of Identity, Document of Identity, ImmiCard and other documents accepted for travel to (and entry into) and from (and exit out of), Australia.
Traveller		A person who has arrived in or is departing Australia on an international flight or voyage, whether as a passenger on, or crew member of, an aircraft or vessel. It also includes a domestic passenger who travels on the domestic leg of an international flight.
Unlawful non-citizen	UNC	A non-citizen in the migration zone who is not a lawful non-citizen is an unlawful non-citizen - s14(1) of the Migration Act.

Attachment B – Related Documents

Related framework documents include those 'owned' by other policy areas in the Department such as visa, compliance, detention, identity, goods and revenue areas.

The following PPCF documents are on related border clearance topics:

- Schedule 9: Special Traveller Border Clearance Arrangements - PS (TT-4911)
- Schedule 4 - Public Interest Criteria 4021 (the passport requirement) - PS (TT-2988)
- Traveller Intervention and Response - PS (TT-2985)
- Passenger Cards and Crew Declaration forms - PS (TI-341)
- Division 3.1 (Migration Regulations) - Information to be given by arriving persons - PS (TT-2991)
- Allowed Inhabitants of the Protected Zone - PS (TT-2987)
- Immigration Compliance and Status Resolution Framework - PS (SM-5122)
- Traveller Duty Free Concessions - PS (TT-2981) & PI (BC-654)
- Tourist Refund Scheme - PS (TT-4904) & PI (TT-2874)
- Arrival, Immigration Clearance and Entry – Immigration clearance at airports and seaports - PI (BC-536)
- Outwards Immigration Clearance - PI (BC-2535)
- Immigration Clearance of Australian Citizens - PI (BC-2536)
- Types of Documentary Evidence required for Immigration Clearance - PI (BC-666)
- Detention and Search (s219 Customs Act) - PI (BC-687)
- Off Terminal Clearance, Alternative and Remote Airport Clearance - SOP (TT-6656)

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Attachment C – Related Legislation

Acts:

- *A New Tax System (Goods and Services Tax) Act 1999*
- *A New Tax System (Wine Equalisation Tax) Act 1999*
- *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*
- *Australian Border Force Act 2015*
- *Australian Citizenship Act 2007*
- *Australian Passports Act 2005*
- *Australian Security Intelligence Organisation Act 1979*
- *Aviation Transport Security Act 2004*
- *Biosecurity Act 2015*
- *Border Protection (Validation and Enforcement Powers) Act 2001*
- *Commerce (Trade Descriptions) Act 1905*
- *Copyright Act 1968*
- *Crimes (Currency) Act 1981*
- *Customs Act 1901*
- *Customs Tariff Act 1995*
- *Diplomatic Privileges and Immunities Act 1967*
- *Environment Protection and Biodiversity Conservation Act 1999*
- *Financial Transaction Reports Act 1988*
- *Foreign Passports (Law Enforcement and Security) Act 2005*
- *Freedom of Information Act 1982*
- *Intelligence Services Act 2001*
- *Major Sporting Events (Indicia and Images) Protection Act 2014*
- *Maritime Powers Act 2013*
- *Maritime Transport and Offshore Facilities Security Act 2003*
- *Migration Act 1958*
- *Offshore Petroleum and Greenhouse Gas Storage Act 2006*
- *Olympic Insignia Protection Act 1987*
- *Passenger Movement Charge Act 1978*
- *Passenger Movement Charge Collection Act 1978*
- *Privacy Act 1988*
- *Public Service Act 1999*
- *Telecommunications (Interception and Access) Act 1979*
- *Torres Strait Treaty Act 1984*

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- *Torres Strait Fisheries Act 1984*
- *Trade Marks Act 1995*

Regulations:

- *Aviation Transport Security Regulations 2005*
- *Customs (Prohibited Imports) Regulations 1956*
- *Customs (Prohibited Exports) Regulations 1958*
- *Customs Regulation 2015*
- *Customs (International Obligations) Regulations 2015*
- *Maritime Powers Regulations 2014*
- *Migration Regulations 1994*

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Attachment D – Consultation

1.1 Internal Consultation

- Traveller Practices Section
- Ports Policy Section
- Special Purpose, Special Category and Border Visas Section
- ABF Operational Practices
- Legal Group
- All internal staff – Home Affairs and ABF



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Audiovisual Records

Procedural Instruction

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1. Purpose

This Procedural Instruction (PI) sets out the requirements that workers in the Department of Home Affairs (the Department), including the Australian Border Force (the ABF), must adhere to when creating, handling, storing and disposing of audiovisual records (AVR), including Closed Circuit Television (CCTV). This is in accordance with the Records Management – Policy Statement (TI-1094), Storage of Unstructured Business Information – Policy Statement (TI-5981), Handling Protectively Marked Material – Procedural Instruction (HR-6361), the *Archives Act 1983* (the Archives Act) and the *Privacy Act 1988* (the Privacy Act).

2. Scope

2.1. In Scope

This PI applies to:

- all business areas
- Commonwealth AVR in all formats (for example digital or physical)
- all persons carrying out work for the Department, including:
 - Immigration and Border Protection (IBP) workers (including all APS employees in the Department, including the ABF)
 - workers at overseas posts (including locally engaged workers)
 - ongoing, non-ongoing and casual workers
 - contractors and consultants
 - Senior Executive Services (SES)
 - personnel from other Australian Government agencies undertaking duties on behalf of the Department.

2.2. Out of Scope

This PI does not apply to the following:

- disclosure of Departmental AVR to third parties;
- the process by which Department operated CCTV is converted into AVR;
- CCTV operation procedures including signage, training of staff, installation, monitoring and technical standards.

3. Procedural Instruction

3.1. Context

The Department creates and receives AVR related to a number of highly sensitive functions including air and marine port CCTV surveillance, administration of immigration detention facilities and removal of unlawful citizens from Australia. AVR created or received by the Department are Commonwealth records under the Archives Act.

AVR can consist of:

- CCTV, body camera, dashboard camera and in-car-video recordings
- still images and photographs
- audio (for example voice recordings)
- video material produced for training or promotional purposes.

3.2. Third party service providers

AVR from third party service providers are Commonwealth records and are subject to the same conditions as other Commonwealth records for the destruction, disposal, alteration and transfer of custody or ownership. Service provision contracts should provide the framework for the storage and transfer of records to departmental custody from service providers. Contract managers have the responsibility to enforce the service providers' record keeping obligations and take appropriate action when these obligations have been breached. For further information, see the Records Management Reference Guide for Contract Managers - For Internal Use Only - Supporting Material (TI-7053) and the Records Management Guide for Service Providers - For External Use - Supporting Material (TI-7054).

3.3. Digitisation

Information created or received digitally should remain digital throughout its lifespan. Digitising physical records must be in accordance with the Digitising Physical Records – Procedural Instruction (TI-5396). Existing AVR that has no historical value or no legal requirement to be kept in its original medium should be digitised.

3.4. Storage

3.4.1 Compliance

Records must be stored in an Electronic Document and Records Management System (EDRMS) that is ISO 16175 compliant, such as TRIM, as directed in the Records Management – Policy Statement (TI-1094) and stored in accordance with the Handling Protectively Marked Material – Procedural Instruction (HR-6361). Once a record is successfully uploaded to an EDRMS and checked to be accessible, duplicates of the record should be destroyed as per the Destroying Low Value Information – Normal Administrative Practice – Procedural Instruction (TI-5393) and Storage of Unstructured Business Information – Policy Statement (TI-5981).

3.4.2 Audio Visual Document record type

The 'Audio Visual Document (AVD) record type' must be used to save new AVR in TRIM. Existing AVR in TRIM does not need to be re-saved as the AVD record type.

3.4.3 Audiovisual meetings

s. 22(1)(a)(ii)

3.4.4 EDRMS requirements

In addition to the requirements set out in the Business Systems Development for Records Management Compliance – Policy Statement (TI-6632), business areas must consider the following factors when selecting an EDRMS other than TRIM to store AVR.

- Searchability: the ability to identify the location of a record if the searcher knows that the record exists.
- Discoverability: the ability to identify the location of a record that is not already known to exist.
- Privacy: records containing personal information or sensitive information (as defined in the Privacy Act) need to be stored in a location capable of applying appropriate security or access controls.
- Space and speed limitations: large files consume digital space in storage and speed relates to the rate in which AVR can be accessed.

Searchability and discoverability of an EDRMS impacts on operational efficiency and the ability for the Department to meet its legal obligations, for example, under the *Freedom of Information Act 1982* and court proceedings.

3.4.5 Physical storage requirements

The environmental conditions appropriate to the record's format and retention period set out under Principle 2 of the National Archives of Australia's Standard for the Physical Storage of Commonwealth Records must be considered for the storage of physical records alongside requirements in the Handling Protectively Marked Material – Procedural Instruction (HR-6361). The conversion or migration of some record formats during storage may need to occur for the record to remain accessible for the duration of the record's retention period.

3.5. Destruction

A Records Authority (RA) is a legal instrument that allows agencies to make decisions about keeping, destroying or transferring Commonwealth records. Conduct that results in the destruction, disposal, transfer of custody, damage or alteration of a record is prohibited unless it falls under a permissible exemption outlined in section 24 of the Archives Act and is in accordance with the Records Management – Policy Statement (TI-1094) and Handling Protectively Marked Material – Procedural Instruction (HR-6361). Contact IHM@homeaffairs.gov.au for guidance to determine the correct RA applicable to a record and whether a record can be destroyed.

3.6. Acceptable Use of the Department's ICT Resources

s. 22(1)(a)(ii)

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4. Statement of Expectation

s. 22(1)(a)(ii)

5. Accountabilities and Responsibilities

Role	Description
National Archives of Australia (NAA)	Under the authority of the Archives Act, the NAA have overall responsibility for managing, maintaining and preserving Commonwealth records.
All Senior Executive Service (SES)	Accountable for ensuring their staff understand the requirements for AVR in accordance with this PI.
Records Management Section	The Records Management Section is responsible for: • providing advice and support • updating records management policies and procedures • determining record retention • reporting unauthorised destruction of records to the NAA.
All IBP workers, including: • ABF Officers • Contractors • Consultants • Workers at overseas posts, including locally engaged workers.	All workers are required to comply with this PI in accordance with their record keeping responsibilities and related policies and procedures.

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6. Version Control

Version number	Date of issue	Author(s)	Brief description of change
1.0	21 August 2023	Records Management Section	First version

Attachment A – Definitions

Term	Acronym (if applicable)	Definition
Audiovisual records	AVR	A digital or physical record containing visual imagery, sound, or both.
Closed Circuit Television	CCTV	A television system in which video signals are transmitted from one or more cameras by cable to a set of monitors, used especially for security purposes.
(Commonwealth) record	-	A record is defined in subsection 3(1) of the <u>Archives Act</u>, to mean: A record means a document, or an object, in any form (including any electronic form) that is, or has been, kept by reason of: - any information or matter that it contains or that can be obtained from it; or - its connection with any event, person, circumstance or thing. A Commonwealth record is defined in subsection 3(1) of the <u>Archives Act</u>, to mean: - a record that is the property of the Commonwealth or of a Commonwealth institution; or - a record that is to be deemed to be a Commonwealth record by virtue of a regulation under subsection 3(6) or by virtue of section 22; but does not include a record that is exempt material (as defined in subsection 3(1)).
Discoverability	-	Discoverability is the ability to identify the location of a record that is not already known to exist.
Electronic Document and Records Management System	EDRMS	An EDRMS is a software application that manages a range of digital information, including word-processed documents, spreadsheets, emails, images and scanned documents. An EDRMS can combine both document management and records management functionality.
ISO 16175: Information and documentation - Principles and functional requirements for records in electronic office environments	ISO 16175	ISO 16175 provides internationally agreed principles and functional requirements for software used to create and manage digital information in office environments.

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Term	Acronym (if applicable)	Definition
Records Authority	RA	A Records Authority is a legal instrument that allows agencies to make decisions about keeping, destroying or transferring Commonwealth records. Records Authorities are used to determine how long to keep records and provide permission for the destruction of records once this time has passed.
Searchability	-	Searchability refers to the ability to identify the location of a record if the searcher knows that the record exists.
TRIM (also known as Content Manager)	-	The Department's Electronic Document and Records Management System.

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Attachment B – Assurance and Control Matrix

1.1 Powers and Obligations

Implementation of this PI supports obligations under the *Archives Act 1983* and the *Privacy Act 1988*, but does not require any powers, delegations or authorisations.

1.2 Controls and Assurance

Related Policy	<u>Records Management – Policy Statement (TI-1094)</u> <u>Business Systems Development for Records Management Compliance – Policy Statement (TI-6632)</u> <u>Storage of Unstructured Business Information – Policy Statement (TI-5981)</u> <u>Protective Security Policy Framework</u> <u>Standard for the Physical Storage of Commonwealth Records</u>
Procedures / Supporting Materials	<u>Acceptable Use of Departmental ICT Systems and Information - Procedural Instruction (HR-3320)</u> <u>Destroying Low Value Information – Normal Administrative Practice – Procedural Instruction (TI-5393)</u> <u>Digitising Physical Records – Procedural Instruction (TI-5396)</u> <u>Handling Protectively Marked Material – Procedural Instruction (HR-6361)</u> <u>Records Management Reference Guide for Contract Managers - For Internal Use Only - Supporting Material (TI-7053)</u> <u>Records Management Guide for Service Providers - For External Use - Supporting Material (TI-7054)</u>
Training/Certification or Accreditation	Nil
Other required job role requirements	Nil
Other support mechanisms (e.g. who can provide further assistance in relation to any aspects of this instruction)	For further advice contact the Records Management Section at s. 47E(d)
Escalation arrangements	Escalation of concerns or issues can be sent to the Director Records Management via s. 47E(d)
Recordkeeping (e.g. system based facilities to record decisions)	TRIM (also known as Content Manager)

Program or Framework (i.e. overarching Policy Framework or Business Program)	<u>Records Management – Policy Statement (TI-1094)</u>
Job Vocational Framework Role	This PI applies to all job roles within the Department.

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Attachment C – Consultation

1.1 Internal Consultation

- Legal Group
- Legal Training
- Biometrics and Specialist Services
- CCTV and Enforcement Communications
- Onshore Contracts
- Onshore Health Contracts
- Health Immigration Detention Operations
- Detention Health Policy and Program
- Detention Coordination
- Detention Operational Policy
- External Scrutiny
- Workforce Development
- Translating and Interpreting Service National
- Compliance Audits
- Practice Management Support
- People Smuggling Intelligence
- Program Development Facility
- Enterprise Architecture
- Technology Architecture
- Architecture Design and Security
- Privacy and Information Disclosure
- Performance and Communication
- Integrity and Professional Standards
- Security Policy, Communications and Skilling
- Corporate Systems Support
- Cyber Policy
- Cyber Detection and Response
- ICT Division

1.2 External Consultation

- Serco



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Freedom of Information Request – FA 25/12/01786

Any archival and retention policy regarding all CCTV footage as mentioned above

CCTV footage is required to be retained and managed in line with current records authorities. The applicable authority and class will depend on the nature of the footage, and the purpose for which it was created.

For footage recorded at airports, the relevant Records Authority in the majority of cases will be the the Australian Customs and Border Protection Service Records Authority (2009/00921365). Relevant sections of the Records Authority are provided below:

Class No.	Description of Records	Disposal Action
21360	Cases where a matter has been referred for further investigation involving criminal offences and or prosecution that would result in a fine and or a jail sentence. Covers records of surveillance, interviews, operations, orders, searches, and seizures, detention of goods or vessels and prosecution. Includes the following records gathered during the case; warrants, preparation and swearing of information, notebooks, charging of offenders, details of search and seizure, ledger of items of evidence and seized goods, retention order applications (for retention of seized things), application for detention orders or renewal of detention orders, seized goods documentation (eg notices, issue of receipts, applications for return, condemnation and notification of disposal of seized goods), impoundment notice, applications for external and internal search orders.	Retain as national archives
21361	Cases where a matter has been referred for further investigation involving criminal offences and there is no prosecution, prosecution is terminated, the decision is made not to follow the prosecution further or warning is issued.	Destroy 75 years after date of birth of offender, or where there are multiple offenders destroy 75 years after the date of birth of the youngest offender
21362	Cases where a matter has been referred for further investigation involving customs offences and or prosecution that would result in a financial penalty.	Destroy 15 years after action completed

Any archival and retention policy regarding all CCTV footage as mentioned above

	Covers records of surveillance, interviews, operations, orders, searches, and seizures, detention of goods or vessels and prosecution. Includes the following records gathered during the case; warrants, preparation and swearing of information's, notebooks, charging of offenders, details of search and seizure, ledger of items of evidence and seized goods, retention order applications (for retention of seized things), application for detention orders or renewal of detention orders, seized goods documentation (eg notices, issue of receipts, applications for return, condemnation and notification of disposal of seized goods), impoundment notice, applications for external and internal search orders.	
21363	Cases where a matter has been referred for further investigation involving Customs offences and there is no prosecution, prosecution is terminated, the decision is made not to follow the prosecution further or warning is issued or training advised to correct the situation.	Destroy 7 years after conclusion of action