Australian Customs Notice 2001 45

**Reporting of Cargo in Customs Cargo Automation Systems**

Section 234(1)(d) of the *Customs Act 1901* (the *Act*) states, *inter alia*, that a person shall not knowingly or recklessly make a statement to an officer that is false or misleading in a material particular or omit from a statement made to an officer any matter or thing without which the statement is misleading in a material particular.

Customs has recently identified serious deficiencies in the reporting of air waybill numbers in Air Cargo Automation (ACA) and container/bill of lading numbers in Sea Cargo Automation (SCA). Customs risk management and control processes are dependent upon the accuracy of the information reported in Cargo Automation systems. These numbers, reported in the relevant cargo automation system must be an accurate representation of numbers recorded on the original document of carriage unless prior arrangements have been made with Customs.

Cargo report manipulation often leads to consignments assessed as high-risk by Customs being delivered into home consumption without examination. This is as a result of the consignment being re-reported with the consignment identifiers changed contrary to the facts. An example of cargo report manipulation is where the reporter adds an alpha or numeric character to a house air waybill number. A recent court decision has confirmed that such action amounts to a false and misleading statement being made to an officer.

Air cargo and sea cargo depot operators licensed under section 77G of the *Act* are required to determine consignment statuses from ACA or SCA at the time of intended delivery. Where a release status is not reflected in the cargo system, diagnostic facilities should be accessed or the regional Cargo Systems Support Unit or its equivalent should be contacted, to determine why a release status may not be available. Re-reporting consignments with new, incorrect, air waybill or container/bill of lading details does not constitute a legitimate means of gaining a release status and may be a breach of section 234(1)(d) of the *Act*.

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