



Australian Government
**Australian Customs and
 Border Protection Service**

Customs House
 5 Constitution Avenue
 CANBERRA ACT 2600

**The Assistant Secretary
 Awards and Culture Branch
 Department of the Prime Minister and Cabinet
 P O Box 6500
 CANBERRA ACT 2600**

**APPLICATION FOR RECOGNITION FOR AN APPROVED
 GOVERNMENT ORGANISATION FOR THE NATIONAL MEDAL**

A) Contact information

Name of organisation:

1. Australian Customs and Border Protection Service (Customs and Border Protection).

Minister:

2. Minister for Home Affairs, currently the Hon. Brendan O'Connor MP.

Contact Officer:

3. Mr Wayne Lodge
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B) The Organisation

1. Customs and Border Protection is a national federal agency within the Attorney-General's portfolio.

C) History

1. Customs and Border Protection as a Commonwealth agency was established in 1901 following Federation, and has operated within a number of portfolios since that time. Customs and Border Protection, primarily, derives its powers and functions from the *Customs Act 1901*, (the Customs Act), the *Customs Tariff Act 1995* and related legislation. Customs and Border Protection also administers legislation on behalf of other government agencies, especially relating to the movement of goods and people across the Australian border.

RELEASED UNDER THE FOI ACT 1982

Customs and Border Protection was established in its present form in June 1985 under the *Customs Administration Act 1985*. Customs and Border Protection is part of the Attorney-General's portfolio, and was responsible to the Minister for Justice and Customs from 21 October 1998 until October 2007. Customs and Border Protection is now responsible to the Minister for Home Affairs.

History of legislative powers

Pursuing, boarding, searching and destruction of ships

2. On 16 December 1999, comprehensive amendments were made to the provisions of the Customs Act which allow Customs and Border Protection Officers to board ships. Prior to 16 December 1999, Customs and Border Protection Officers could only request to board foreign ships in Australia's territorial sea and near Australian resources installations or an Australian sea installations. Australian ships could be boarded inside and outside Australia's territorial sea. Once a request to board was made, Customs and Border Protection could chase the ship or after firing a gun as a signal, fire at or into, the ship in order to compel it to be brought to for boarding. Once a request had been made, an officer could exercise a number of powers including:

- a) boarding and searching the ship;
- b) searching any goods found on the ship;
- c) requiring people on board to answer certain questions and produce certain documents;
- d) arrest certain people; and
- e) detain the ship in certain circumstances and bring it, or cause it to be brought, to a port.

On 16 December 1999, the *Border Protection Legislation Amendment Act 1999* extended these powers to allow the commander of a Commonwealth ship or Commonwealth aircraft to request the master of the following ships to be boarded:

- a) foreign ships in Australia's contiguous zone and Australia's exclusive economic zone (EEZ) in certain circumstances;
- b) foreign ships on the high seas if either there is a relevant agreement between Australia and the flag country of the ship or the ship does not have a nationality;
- c) mother ships in certain circumstances (section 184A).

The power to compel a ship to be brought to for boarding was extended to allow the use of reasonable means consistent with international law. The ability to fire at or into the chased ship was retained (sections 184B and 184C). The powers, in section 185, that could be exercised once on board a ship were amended to make them consistent with international law because of the extension of the powers outside of Australia's territorial sea. New powers were inserted to allow:

- a) the detention of people on board a ship that is detained;

- b) the frisk and external search of persons;
- c) the copying and taking of extracts of documents; and
- d) the seizure of narcotic goods found on the ship without a warrant.

A new power was also inserted to allow the Chief Executive Office of Customs (CEO) to direct an officer to move and/or destroy a ship if the CEO has reasonable grounds to believe the ship is unseaworthy, poses a serious risk to navigation, quarantine, safety or public health, or that the ship poses a serious risk of damage to property or the environment (section 189A).

On 27 September 2001, section 185AA was inserted into the Customs Act by the *Border Protection (Validation and Enforcement Powers) Act 2001* which enabled Customs and Border Protection Officers to search a person and their clothing and property if the person was on a detained ship or had been placed on a Customs and Border Protection vessel. The purpose of the search is to find out whether the person is carrying, or there is hidden on the person in the clothing or property, a weapon or other thing capable of being used to inflict bodily injury or to help the person to escape. Due to the increasingly dangerous environment, this power does not require the Customs and Border Protection officer to believe or suspect the person is carrying or there is hidden such weapon or thing.

On 9 August 2008, the powers in section 185AA were amended to enable the search of people on board a ship boarded by Customs and Border Protection Officers even if the ship is not detained (Schedule 2 to the *Customs Amendment (Strengthening Border Security) Act 2008*). That is, the search can be conducted immediately upon boarding a ship. The power to search will also be extended to allow a search to be conducted for the purpose of finding evidence. These amendments ensure the safety of Customs and Border Protection Officers from possible attack while investigating evidence of an offence being thrown overboard before the ship reaches Australia.

Boarding and searching aircraft

The power to request that an aircraft land at the nearest airport for boarding for the purposes of the Customs Act is limited to foreign aircraft over Australia and Australian aircraft over anywhere except a foreign country. New powers to detain and search people on board such aircraft and copy and take extracts of documents on the aircraft were inserted on 16 December 1999.

Carrying arms

On 16 December 1999, commanders of Customs and Border Protection vessels were empowered under section 189A of the Customs Act to issue approved firearms and other approved items of personal defence equipment to officers under his or her command for the purpose of:

- a) enabling the use, by such officers of a firearm in the chase of ship; or
- b) enabling the safe exercise, by such officers of powers conferred on them under the Customs Act, including powers related to the suspected commission or attempted commission of an offence against another Act.

Initially the following firearms were approved: Colt M16 automatic rifle and Glock 9mm semi-automatic pistol. The following firearms have since been approved:

Remington 870 Marine Magnum shotgun (12 April 2001); CZ .22 Bolt Action Rifle (19 December 2002); Remington 700 Bolt Action Rifle (19 December 2002); Browning 0.50 Calibre Infantry Machinegun (20 May 2004); and FN Herstal General Support Machine Gun (GSMG) MAG 58 (7.62mm) (20 August 2005).

Approved items of personal defence equipment means an extendable baton, an oleoresin capsicum spray or anti-ballistic clothing. Prior to 16 December 1999, the CEO relied on regulation 194 of the Customs Regulations 1926 to direct Customs and Border Protection Officers to carry firearms.

On 2 August 2002, section 189A was extended so that any Customs and Border Protection Officers authorised by the CEO may issue and/or carry approved firearms and other approved items of personal defence equipment and to allow their issuing for the purpose of enabling the safe exercise, by such officers, of powers conferred on them under the Customs Act or any other Act.

In November 2005, the Government approved the progressive arming of Customs and Border Protection Officers undertaking waterfront patrol and response work, ship boarding and search and certain investigations operations. This was in addition to almost 300 Customs and Border Protection Officers already armed for maritime patrol and response functions. The decision to issue officers with weapons and equipment was an operational safety measure in response to heightened security risks associated with the environment in which Customs and Border Protection operates.

From 16 December 1999, positions within the operational areas of Customs and Border Protection that required employees to carry personal defensive equipment also required occupants to hold a valid Use of Force Permit. At this time, the positions within Customs and Border Protection that had this requirement were within the National Marine Unit. In 2002, this requirement was extended to the Southern Ocean Marine Patrol and Response Unit (these units have since combined to form the Customs Marine Unit). Positions within this Unit are now formally designated Use of Force. A number of positions in other operational areas (See Section 5 below) within Customs and Border Protection have also been designated Use of Force positions.

Prior to December 1999, there was limited requirement for Customs and Border Protection Officers to carry weapons and they were not required to use Personal Defensive Equipment or hold a Use of Force permit. The actual threat to the wellbeing of Customs and Border Protection Officers was limited, however the change in the legislation in December 1999 recognised the increased threat.

Seizure of in transit goods

On 5 January 2003, the Customs Act was amended by the *Border Security Legislation Amendment Act 2002* to require in-transit goods passing through an Australian port or airport to be reported to Customs and Border Protection. Customs and Border Protection Officers were also empowered to seize, with a warrant, goods where:

- the goods are connected (directly or indirectly) with a terrorist act; or
- the existence of the shipment of goods prejudices, or is likely to prejudice, Australia's defence or security or international peace and security.

Such goods may be destroyed immediately after seizure if Customs and Border Protection is satisfied that retention of those goods would constitute a danger to public health or safety (section 209J).

Seizure of other goods

Whilst Customs and Border Protection has had the power to seize certain goods for a long time, the power to immediately destroy such goods if their retention would constitute a danger to public health or safety was inserted into the Customs Act on 20 February 2007 by the *Customs and Border Protection Legislation Amendment (Border Compliance and Other Measures Act) 2007* (section 206).

D) Nature of Law and Order Functions

1. Customs and Border Protection undertakes a range of law and order functions in Australia under the provisions of the Customs Act and other legislation. A summary of these functions and the legislation under which they operate is provided below. [*Note: this summary focuses on law enforcement functions that may be hazardous to Customs and Border Protection Officers and excludes other legislated Customs and Border Protection functions such as revenue collection and trade measures matters*].

Customs and Border Protection Officers play a central role in border protection. Customs and Border Protection functions include protecting the community against the importation of illegal and harmful goods and against the arrival of unauthorised people.

In order to discharge Customs and Border Protection obligations, the Customs Act confers on officer's authority to exercise a wide range of powers and to undertake extensive activities which are often hazardous in nature. Under the Customs Act, Customs and Border Protection Officers are empowered (in specified circumstances) to:

- a) board and search ships and aircraft (including boarding ships on the high seas);
- b) pursue ships for boarding;
- c) search people on certain ships or aircraft;
- d) move or destroy hazardous ships;
- e) carry (and use) arms in certain circumstances;
- f) seize goods with or without warrant in specified circumstances, including unlawfully imported firearms, narcotics and other hazardous goods;
- g) seize goods, with a warrant, that are in transit through Australia on a ship or aircraft where:
 - the goods are connected (directly or indirectly) with a terrorist act; or
 - the existence of the shipment of goods prejudices, or is likely to prejudice, Australia's defence or security or international peace and security.
- h) patrol wharves and remote areas;
- i) examine incoming and outgoing cargo;
- j) execute search warrants in relation to evidentiary material and exercise powers of arrest, detention and personal search (including using reasonable force).

Law enforcement activities conducted by Customs and Border Protection Officers on behalf of, or in conjunction with, other agencies include:

Examination of postal articles

Under the *Australian Postal Corporation Act 1989* Customs and Border Protection Officers, in specified circumstances, remove, open and examine certain postal articles that are reasonably believed to consist of, or contain, drugs or other chemical compounds being carried in breach of Commonwealth law.

Inspection and arrest in relation to the international movement of wildlife specimens

Under the *Environment Protection and Biodiversity Conservation Act 1999*, authorised Customs and Border Protection Officers may board vehicles, vessels, aircrafts or platforms and ask questions and conduct inspections in relation to the movement of wildlife specimens. Authorised officers may also arrest persons without warrant in specified circumstances.

Inspection and arrest in relation to environmental protection

The *Environment Protection (Sea Dumping) Act 1981* provides that Customs and Border Protection Officers are inspectors for the purposes of the Act. The Act confers powers of arrest on inspectors in certain circumstances. Inspectors may also board vessels under the provisions of the Act.

Question and search in relation to the illegal movement of currency

Specified Customs and Border Protection Officers have powers to question and search persons reasonably suspected of carrying currency in breach of provisions of the *Financial Transaction Reports Act 1988*. They may also, without warrant, arrest a person in certain circumstances.

Identification of and response to illegal fishing in Australian waters

Customs and Border Protection Officers are officers for the purposes of the *Fisheries Management Act 1991*. Section 84 sets out the various powers of officers under the Act. Section 84C empowers officers to carry arms. Under this Act, Customs and Border Protection Officers can execute search warrants, stop, board and search a boat and search persons on a boat, with or without a warrant.

Customs and Border Protection Officers may also perform duties in the Torres Strait as prescribed within the *Torres Strait Fisheries Act 1984*. Although Customs and Border Protection Officers do not have express powers under the Act, it provides that the Minister may authorise an officer or employee of the Commonwealth to perform duties of officers under the Act. These duties include boarding, entry and search of vehicles, and seizing and removing materials that may afford evidence. Some Customs and Border Protection Officers have been authorised under this Act.

Inspection and other activities in relation to importing or exporting hazardous waste

The *Hazardous Waste (Regulation of Exports and Imports) Act 1989* provides that if an authorised Customs and Border Protection officer has reasonable grounds for suspecting that a person intends to import or export hazardous waste, or is importing or exporting hazardous waste or has imported or exported hazardous waste, the officer may: require the suspected person to produce the relevant permit; control the movement of vessels or aircraft; or detain, enter or board and search a vessel, aircraft or vehicle to produce evidence of the existence of hazardous waste.

Activities in relation to maritime security zones – powers to stop, search and/or remove people or vehicles

Under the *Maritime Transport and Offshore Facilities Security Act 2003*, a Customs and Border Protection officer who has been prescribed as a law enforcement officer and who is on duty at a security regulated port can: enter a security regulated port; stop and search people in a maritime security zone or on a regulated ship; stop and search vehicles and vessels in maritime security zones; and remove people from ships or maritime security zones if they do not leave when requested to do so.

Detention and refusal of clearance of ships

Under the *Navigation Act 1912* Customs and Border Protection Officers may detain ships in specified circumstances and apprehend persons who have boarded unlawfully. Customs and Border Protection Officers may also detain ships carrying goods that would endanger the ship's safety or interfere with the comfort of passengers or crew.

Detention of vessels in relation to quarantine breaches

Under the *Quarantine Act 1908* (Quarantine Act), authorised Customs and Border Protection Officers can: board, detain and move vessels, destroy any goods, animals or plants considered to be a source of infection and destroy animals on board prescribed overseas vessels in Australia or the Cocos Islands. Customs and Border Protection may also seize unlawfully imported goods under the Quarantine Act where a quarantine notice has been breached.

2. Customs and Border Protection Officers involved in the above activities are exposed to an elevated risk of death, injury or trauma as a normal part of their working life when compared to the broader APS cohort. To date there have been no deaths or major injuries reported. Officers are at risk of aggressive actions by a person or persons engaged in illegal activities, some of whom may be armed.

This risk to Customs and Border Protection Officers is reflected in the announcement in the 2006-07 Budget of the training and equipping of an additional 600 Customs and Border Protection Officers around Australia with personal defence equipment to enhance their personal safety. Some 300 Customs and Border Protection Officers in the Customs and Border Protection Marine Unit are already equipped with personal defence equipment. Officers are also at risk from other hazards encountered in the working environment (e.g. exposure to hazardous materials in the course of an inspection or

exposure to infectious diseases carried by international travellers by Officers whose main function is border control).

In many areas of remote Australia (especially Northern and North-Western Australia) Customs and Border Protection Officers may be the only law enforcement presence available to deal with illegal activities pursuant to the above legislation. This would put them at greater risk than would normally be expected of their position.

3. The occupational categories meeting the criteria for nomination are Customs and Border Protection Officers occupying designated Use of Force positions within the operational areas of Customs and Border Protection as identified in Section 5.

4. Customs and Border Protection has other functions besides enforcing the law to protect persons and property. These include revenue collection and the administration of trade measures and certain Government industry schemes.

5. The Customs and Border Protection areas for which approval is sought are set out below. It should be noted that there are non-operational staff in all of these areas, and that operational staff only will be nominated for the National Medal.

a) Customs and Border Protection Marine Unit (formally the National Marine Unit and the Maritime Patrol and Response Unit)

These officers are currently armed and are required to use personal defensive equipment and large vessel mounted weapons. They operate in a dangerous environment, boarding and apprehending illegal fishers etc. They enforce Customs and Border Protection, Migration and Fisheries legislation as well as others. They also work closely with other police agencies and military units.

Training regimes are strict and they have powers for detention, custody and personal searches. They are required to meet 'use of force' regimes.

b) Illegal Foreign Fishing Unit

From 1 November 2005, Customs and Border Protection assumed responsibility for receiving, processing and medically clearing as fit-to-fly illegal foreign fishers at the ports of Broome, Darwin, Gove and Thursday Island. These officers are armed with personal defence equipment and are involved in the apprehension and custodial handling of detained fishermen on the water in support of Customs and Border Protection vessels and on land in processing environments in remote and city environments.

Officers undergo strict training and are exposed to all issues relating to detained persons. These officers implement Customs and Border Protection, Fisheries and Migration laws. They are also required to undertake personal searches.

c) Enforcement Operations

These officers conduct all operational response activity. Officers are armed and carry personal defence equipment. Officers enforce Customs and other legislation in large and minor narcotic operations; response deployments in chartered aircraft and vessels and can be called upon to support all other operational units. Officers have specific training

and have personal search and detention powers. Officers must also attend court for prosecution cases.

d) District Officers

Officers are armed and carry personal defence equipment. These officers undertake all Customs and Border Protection roles as required. They are required to conduct wharf patrols, boarding activities, operate from small vessels and pilot vessels, conduct remote area responses and patrols by vehicle, investigate all reported activity on wharfs and in remote areas and support Customs and Border Protection Marine Unit operations in instances. Officers must also respond to unknown situations out of hours in response to Customs and Border Protection Hotline reports involving illegal activity.

Officers must also attend court for prosecution cases.

Officers undergo strict training and are exposed to all issues relating to detained persons. These officers implement Customs, Fisheries and Migration laws. They are also required to undertake personal searches.

e) Boarding / Seaports Officers

Officers are armed and carry personal defence equipment. These officers attend arriving overseas vessels and conduct identification of crew. This includes following up immigration, police and other agency alerts of suspected criminals etc. Officers enforce Customs and Migration legislation and are involved in detention of unauthorised arrivals and deserters. Boarding officers use personal search powers. Officers operate on foreign vessels and in remote locations at all hours. Officers support large and minor vessel searches and enforcement operations on crew and wharf side visitors. Officers must respond to Customs and Border Protection Hotline reports.

f) Investigations Officers

These officers are in the process of being trained and equipped to carry personal defence equipment. Officers conduct investigations on serious Customs crimes and conduct warrant actions on business premises, houses and vehicles. Investigation teams also support Enforcement Operations teams and other police services. Officers must make court appearances to prosecute cases. Officers have personal search and detention powers.

Officers have strict qualifications requirements and enforce Customs and Border Protection and other legislation.

g) Operational Safety and Operational Readiness Units

The primary role of officers within the Operational Safety and Operational readiness Units is training, however they also work alongside operational officers in the field to ensure standards are maintained. They also provide support in major operational activity including joint operations with other agencies. To carry out their support role, officers are required to meet and maintain the same level of operational readiness and qualifications as the officers they support. This includes the carrying and use of personal defensive equipment.

h) Detector Dog Units

These officers are in the process of being trained and equipped to carry personal defence equipment. The officers train and operate detector dogs trained to detect chemicals, narcotics and explosive devices. Officers support Customs and Border Protection enforcement and Investigation teams, state/federal/territory police and other enforcement agencies.

Officers have strict training regimes.

i) Surveillance staff

These officers are in the process of being trained and equipped to carry personal defence equipment. They perform surveillance of criminals and are required to be on duty as the need arises. They risk, in their duties, injury if detected or exposed to criminal counter-action.

6. As at 30 June 2008 Customs and Border Protection employs a total of 5982 staff. Of these, some 2017 perform a primary law enforcement role in the specified areas of Customs and Border Protection, as follows:

- a) Customs and Border Protection Marine Unit - 309
- b) Illegal Foreign Fishing Unit - 11
- c) Enforcement Operations - 971
- d) District Officers - 239
- e) Boarding / Seaports Officers - 196
- f) Investigations Officers - 150
- g) Operational Safety and Operational Readiness Units - 30
- h) Detector Dog Units - 91
- i) Surveillance staff - 20

7. In Customs and Border Protections view, the most appropriate service agency with which to compare the performance of its law enforcement functions is the Australian Federal Police (AFP).

The functions of AFP and Customs and Border Protection are similar in that both organisations provide services in relation to the laws of the Commonwealth, property and places of the Commonwealth and the authorities of the Commonwealth and the safeguarding of Commonwealth interests. *(from s.8 of AFP Act 1979)*

Services provided are similar in that they both include the prevention of crime and the protection of persons from injury and death (in Customs and Border Protections case usually less directly).

The crimes targeted by both organisations are frequently the same, and both organisations often work together under formal agreements in dealing with these issues. Criminal activities targeted by both Customs and Border Protection and the AFP include people-smuggling, drug offences, child sex tourism, missing persons, terrorism-related activities, fraud, environmental crimes and crimes related to breaches of airport security.

Officers from both organisations have similar powers to detain, search (persons and/or places) and arrest in performing their duties.

Officers from both organisations are involved in preparation for court cases, ensuring that all of the above procedures, including the collection of evidence, are performed in an exemplary manner.

An increasing number of Customs and Border Protection Officers carry arms for personal protection.

AFP training forms the basis of many Customs and Border Protection training courses.

While the rank of an AFP officer determines the powers and duties conferred upon him or her, Customs and Border Protection Officers' powers and duties are also related to the Customs and Border Protection Level occupied, through delegations determined under the relevant legislation.

Customs and Border Protection Officers have the following powers under the Customs Act 1901:

- Patrol – sections 187, 188, 193, 194
- Search – sections 185, 186, 186A, 187, 188, 189, 197, 219L-ZJ
- Question – sections 20, 64A(2), 195, 196C, 197(2)
- Arrest – sections 185(2), 210(1), 210(1A)
- Detain – sections 196, 197, 209, 219, 227F
- Seize – sections 199, 203, 203B, 203C, 228, 229, 230

8. If Customs and Border Protection is approved as an Approved Government Organisation, it does not expect to nominate any officers for the National Medal in the first year due to the *National Medal Regulations 1999; Part 5; section 16 – Award of Medal*. The medal may be awarded to a person if:

- a) the person has given eligible service as a member of an approved organisation (or more than one approved organisation), for a period determined in accordance with regulation 20, that comprises:
 - i) a single period of 15 years; or
 - ii) periods that, in total, amount to 15 years and
- b) at least one day of that eligible service was given:
 - i) on, or after, 14 February 1975; and
 - ii) on, or after, the approval date of that approved organisation (or at least one of those approved organisations).

Should Customs and Border Protection be approved as an Approved Government Organisation and taking into account the date of the change in legislation that saw Customs and Border Protection carrying personal defensive equipment, it will be a number of years before Customs and Border Protection Officers will meet eligibility requirements for the award of the National Medal. The exception will be, however where officers have previously undertaken employment in other approved organisations that would make them eligible for the award of the National Medal. Such organisations would include the Police Forces.

As Customs and Border Protection electronic records that record employee's previous work history information only date back to 1998, Customs and Border Protection would be find it difficult to ascertain if one of their employees previously worked in an approved agency. It may be necessary for Officers to self nominate in some instances.

E) Training and Fitness

1. Customs and Border Protection Officers working in areas for which National Medal approval is sought are required to complete Use-of-Force (UoF) and Operational Safety Training (OST). Occupants of these positions undergo psychometric, medical and fitness assessment.

Customs and Border Protection operations can be physically and psychologically demanding, particularly where defence skills and operational safety techniques are involved. OST involves training in various aspects of personal defence including:

- The use of verbal command and conflict de-escalation techniques
- Striking and holding techniques
- Handcuffing
- The use of a baton
- The use of oleoresin capsicum (OC) spray
- The use of firearms

It is essential that Customs and Border Protection Officers meet the requisite physical and mental fitness standards to fulfil training and operational requirements encompassing OST. The assessment of physical fitness is aimed at evaluating the dynamic ability of an applicant to work safely and efficiently at heights, and work safely and efficiently in confined spaces with limited access/exit and variable light conditions.

The methods for measuring aerobic physical fitness, agility, strength and cardio respiratory endurance involves a range of standard specific tests, which are appropriate for the range of physical tasks and abilities required of a Customs and Border Protection Officer. The fitness requirements have been developed in conjunction with a number of internationally agreed standards used by other Australian and overseas defence and enforcement and policing agencies.

2. Customs and Border Protection officers are trained within the organisation.

3. All Customs and Border Protection Officers occupying UoF designated positions will complete a full medical every five years up to the age of 45, every two years for

those 45 to 50 and every year once over the age of 50. Customs and Border Protection Officers, who have had a full medical, complete a questionnaire each year before recertification to declare any change to their medical/health status. If changes are recorded, officers may be required to undertake a medical assessment to ascertain their continued suitability for OST.

4. Details of Customs and Border Protection area specific Training and Fitness regimes are as follows:

Customs and Border Protection Marine Unit Training Requirements:

Training required (in addition to initial Customs and Border Protection Trainee course)	Is training required before joining Customs and Border Protection? Is training internal or external?	Are there competency levels to be met?
Law enforcement powers (mandatory)	No. Internal, conducted by Customs and Border Protection Marine Unit Standards Section	Yes
Personal search and detention (mandatory)	No. Internal, conducted by Customs and Border Protection Marine Unit Standards Section	Yes
General search powers (mandatory)	No. Internal, conducted by Customs and Border Protection Marine Unit Standards Section	Yes
Occupational Safety Training and annual re-certification processes for officers carrying personal defence equipment (mandatory)	No. Internal, conducted by Customs and Border Protection Marine Unit Standards Section	Yes
Valid UoF permit, recertification annually (mandatory)	No. Internal, conducted by Customs and Border Protection Marine Unit Standards Section	Yes
MAG58 deck mounted weapons (aimer and/or principle control officer)	No. Internal, conducted by Customs and Border Protection Marine Unit Standards Section	Yes
Maritime qualifications (mandatory)	Yes. Internal and external, conducted by Customs and Border Protection Marine Unit Standards Section and formally approved Registered Training Organisations (RTOs)	Yes
Boarding vessels at sea (compliance and surveillance in the Southern Ocean) (mandatory)	No. Internal, conducted by the National Operational Training and Development Centre, Sydney	Yes

Physical fitness requirements: The OST fitness requirements (Functional Fitness Assessment) apply to Customs and Border Protection Officers who hold these positions. Enhanced standards apply to those operating in the Southern Ocean.

Illegal Foreign Fishing Unit Training requirements:

Training required (in addition to initial Customs and Border Protection Trainee course)	Is training required before joining Customs and Border Protection? Is training internal or external?	Are there competency Levels to be met?
Occupational Safety Training and annual re-certification processes for officers carrying personal defence equipment (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Operational Command Training (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Ship Search Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Boarding Vessels at Sea Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Pleasure Craft Search Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Confined Space Assessment Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Confined Space Entry Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Fumigated Container Examination Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Technical Heights Management Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Remote Area Operations (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Various Technology Training (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Surveillance (static and mobile) (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes

Physical fitness requirements: The standard OST fitness requirements (Functional Fitness Assessment) apply to Customs and Border Protection Officers who hold these positions. In addition there is an annual functional fitness assessment that relates to specific training components.

Enforcement Operations Training requirements:

Training required (in addition to initial Customs and Border Protection Trainee course)	Is training required before joining Customs and Border Protection? Is training internal or external?	Are there competency Levels to be met?
Operational Safety Training (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Operational Command Training (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Ship Search Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Boarding Vessels at Sea Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Pleasure Craft Search Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Confined Space Assessment Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Confined Space Entry Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Fumigated Container Examination Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Technical Heights Management Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Remote Area Operations (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Various Technology Training (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Surveillance (static and mobile) (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes

Physical fitness requirements: The standard OST fitness requirements (Functional Fitness Assessment) apply to Customs and Border Protection Officers who hold these positions. In addition there is an annual functional fitness assessment that relates to specific training components.

District Officers Training requirements:

Training required (in addition to initial Customs and Border Protection Trainee course)	Is training required before joining Customs and Border Protection? Is training internal or external?	Are there competency Levels to be met?
Occupational Safety Training and annual re-certification processes for officers carrying personal defence equipment (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Operational Command Training (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Ship Search Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Boarding Vessels at Sea Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Pleasure Craft Search Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Confined Space Assessment Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Confined Space Entry Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Fumigated Container Examination Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Technical Heights Management Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Remote Area Operations (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Various Technology Training (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Surveillance (static and mobile) (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes

Physical fitness requirements: The standard OST fitness requirements (Functional Fitness Assessment) apply to Customs and Border Protection Officers who hold these positions. In addition there is an annual functional fitness assessment that relates to specific training components.

Boarding/Seaport Officers Training requirements:

Training required (in addition to initial Customs and Border Protection Trainee course)	Is training required before joining Customs and Border Protection? Is training internal or external?	Are there competency Levels to be met?
Occupational Safety Training and annual re-certification processes for officers carrying personal defence equipment (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Operational Command Training (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Ship Search Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Boarding Vessels at Sea Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Pleasure Craft Search Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Confined Space Assessment Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Confined Space Entry Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Fumigated Container Examination Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Technical Heights Management Course (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Remote Area Operations (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Various Technology Training (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Surveillance (static and mobile) (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes

Physical fitness requirements: The standard OST fitness requirements (Functional Fitness Assessment) apply to Customs and Border Protection Officers who hold these positions. In addition there is an annual functional fitness assessment that relates to specific training components.

Investigations Officers Training requirements:

Training required (in addition to initial Customs and Border Protection Trainee course)	Is training required before joining Customs and Border Protection? Is training internal or external?	Are there competency Levels to be met?
Certificate IV in Government Investigations (PSP41504) (mandatory)	No. Internal (meets Public Sector Education and Training standards)	Yes
Valid UoF permit, recertification annually (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes

Physical fitness requirements: The standard OST fitness requirements (Functional Fitness Assessment) apply to Customs and Border Protection Officers who hold these positions.

Operational Safety and Operational Readiness Units (including National Enforcement Training Centre and Technical Support Groups) Training requirements:

Training required (in addition to initial Customs and Border Protection Trainee course)	Is training required before joining Customs and Border Protection? Is training internal or external?	Are there competency Levels to be met?
Powers of Officers (mandatory)	No. Internal	Yes
Detention and Search (Mandatory)	No. Internal	Yes
Communicating for Compliance (mandatory)	No. Internal	Yes
Occupational Safety Training and annual re-certification processes for officers carrying personal defence equipment (mandatory)	No. Internal	Yes
First Aid and Trauma Management (mandatory)	No. Internal	Yes
Operational Command (mandatory)	No. Internal	Yes
Specialist firearms	No. Internal	Yes
Ship Search Course	No. Internal	Yes
Aircraft Search Course	No. Internal	Yes
Fumigated container inspection	No. Internal	Yes
Confined space entry and rescue	No. Internal	Yes

Physical fitness requirements: The standard OST fitness requirements (Functional Fitness Assessment) apply to Customs and Border Protection Officers who hold these positions.

Detector Dog Units Training requirements:

Training required (in addition to initial Customs and Border Protection Trainee course)	Is training required before joining Customs and Border Protection? Is training internal or external?	Are there competency Levels to be met?
Detector Dog Training (mandatory)	No. Internal, conducted by Detector Dog Training Centre	Yes
Valid UoF permit, recertification annually (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
Maritime and Aviation Awareness training (mandatory)	No. Internal, conducted by Detector Dog Training Centre	Yes

Physical fitness requirements: Enhanced OST fitness requirements (Functional Fitness Assessment) apply to Customs and Border Protection Officers who hold these positions. Ongoing fitness assessments are required to be maintained on an annual basis.

Surveillance Staff Training requirements:

Training required (in addition to initial Customs and Border Protection Trainee course)	Is training required before joining Customs and Border Protection? Is training internal or external?	Are there competency Levels to be met?
Occupational Safety Training and annual re-certification processes for officers carrying personal defence equipment (mandatory)	No. Internal, conducted by the National Operational Training and Development Centres, Sydney and Canberra	Yes
The successful completion of the AFP National Surveillance Training Program (or equivalent as determined by Customs and Border Protection)	No. Internal	Yes

Physical fitness requirements: The standard OST fitness requirements (Functional Fitness Assessment) apply to Customs and Border Protection Officers who hold these positions.

Summary of Qualification and Training Requirements across the nominated categories

Category	Armed (uses firearms)	Personal Defence Equipment	Training in Personal Defence Equipment	Training in firearms	Specific Fitness Level required	Use of Force Permit
Customs and Border Protection Marine Unit	Yes	Yes	Yes, annual recertification	Yes (deck mounted weapons and Personal weapons)	Yes	Yes
Illegal Foreign Fishing Unit	Yes	Yes	Yes, annual recertification	Yes (Personal weapons)	Yes	Yes
Enforcement Operations	Yes	Yes	Yes, annual recertification	Yes (Personal weapons)	Yes	Yes
District Officers	Yes	Yes	Yes, annual recertification	Yes (Personal weapons)	Yes	Yes
Boarding/Seaports Officers	Yes	Yes	Yes, annual recertification	Yes (Personal weapons)	Yes	Yes
Investigations Officers	Yes	Yes	Limited numbers, annual recertification	Yes (Personal weapons)	Yes	Yes
Operational Safety/Operational Readiness Units	Yes	Yes	Yes, annual recertification	Yes (Personal weapons)	Yes	Yes
Detector Dog Units	Limited numbers	Yes	Limited numbers, annual recertification	Limited numbers (Personal weapons)	Yes	Yes
Surveillance staff	Limited numbers	Yes	Yes, annual recertification	Limited numbers (Personal weapons)	Yes	Yes

F) Records

1. Are sufficient records maintained to enable the CEO to meet the requirements of nominating eligible persons for the medal or clasp?

Customs and Border Protection holds the following data:

- employee details (e.g. name, classification)
- employee occupancy (position number and organisation unit)
- employee training (e.g. use of force trained)
- employee pay records (e.g. use of force allowance paid)
- employee prior service (e.g. with AFP, Defence forces and dates)

Customs and Border Protection's Human Resource Management Systems include NOMAD until 1998, Peoplesoft from 1998 to 2010 and will include SAP from 2010. Customs and Border Protection therefore does have sufficient records to meet the requirement. Customs and Border Protection will develop procedures for eligible officers to seek recognition of service for the National Medal.

G) Action

Submitted for consideration.

Michael Carmody
Chief Executive Officer

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