

# Joint Border Management System Changes

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If you are a Joint Border Management System (JBMS) user, you will have ongoing competency requirements, such as always acting in a professional manner and being a fit and proper person. Your competency requirements will need to be maintained throughout your JBMS registration with Customs.

You'll need to apply to become a user, for example, a declarant will need approval to submit lodgements.

## » What are the ongoing competency requirements?

*JBMS Users must:*

- » be fit and proper persons, which means they must comply with and not commit offences under border-related legislation.
- » act with sufficient care and expertise by ensuring information submitted to Customs is accurate, complete, timely and supported.
- » act honestly, straightforwardly and faithfully in professional dealings.
- » be competent by having sufficient training and experience to carry out the functions and privileges of a JBMS User.

## » What are your obligations?

The user has an obligation/duty to...	Which includes...
<b>Remain a Fit and Proper Person</b>	<ul style="list-style-type: none"><li>» compliance with any border-related, dishonesty offence or drugs legislation</li></ul>
<b>Act with Sufficient Care and Expertise</b>	<ul style="list-style-type: none"><li>» taking all reasonable steps to ensure that information and documentation provided to JBMS is complete and meets published standards relating to information accuracy and quality</li><li>» supplying documents in support of claims within a timely period</li></ul>



The user has an obligation/duty to...	Which includes...
<b>Act with Sufficient Care and Expertise</b> <i>...continued</i>	<ul style="list-style-type: none"> <li>» supporting or sustaining any claims made</li> <li>» meeting Customs' and the Ministry for Primary Industries' other data quality requirements (including further provision of information as required to maintain border security)</li> </ul>
<b>Act Honestly, Straightforwardly and Faithfully in Professional Dealings</b>	<ul style="list-style-type: none"> <li>» preparing and reporting all information fairly and honestly</li> <li>» providing all information free of any false or misleading representation</li> </ul>
<b>Maintain Competency</b>	<ul style="list-style-type: none"> <li>» having sufficient training and experience to carry out the functions and privileges of a JBMS user</li> <li>» seeking out on-going professional development where quality assurance issues are identified or where key developments in industry-relevant information or standards are promulgated</li> <li>» seeking out supervision during any training phase and where quality assurance issues are identified.</li> </ul>

## » Suspensions and revocation

If a person persistently fails to comply with their ongoing competency requirements, or ceases to be a fit and proper person Customs now has the ability to apply a number of measures, such as:

- » applying remedial conditions for a set period of time, or until the behaviour is corrected.
- » suspending privileges or registration for the persistent failure to comply with the ongoing competency requirements or with the user's registration conditions. Suspensions can be set for up to three months, but can be lifted earlier if the issue giving rise to the suspension is rectified.



- » suspend registration immediately without notice, for up to one month initially, should it believe there has been a serious or repeated failure to comply with the relevant legislation, more time is needed to decide what action should be taken, and it is necessary to protect the integrity of the border management system. Immediate suspensions can be extended in monthly increments for a maximum of six months, where there is reasonable cause to believe the issue that caused the original suspension still exists.
- » revoke privileges or registration following repeated suspensions, or when Customs is aware of a conviction for an offence under border-related legislation.

Customs will consult with the Ministry for Primary Industries before imposing new conditions, or suspending or revoking privileges or registration.

## » What if I disagree with a decision?

You can apply to the Customs Appeal Authority.

## » Want to know more?

To apply for approval to become a user, you'll be able to refer to the Customs website TSW Fact Sheet – Applying for a Declarant Code.