**Fit and Proper Person Declaration**

Section 64(1)(e) of the Customs and Excise Act 2018 allows the Chief Executive of the New Zealand Customs Service to revoke or suspend a Customs-controlled Area licence if the Chief Executive is not satisfied, in accordance with section 60 of the Customs and Excise Act 2018, that the licensee is a fit and proper person to hold the licence. This includes key personnel such as senior managers and those responsible for the day-to-day operation of the Customs-controlled Area.

As part of Customs ongoing regulation of a Customs-controlled Area this declaration may be required where there are changes to key personnel.

A person may be eligible under the Criminal Records (Clean Slate) Act 2004 to state that they have no criminal record(s) even if they do have a conviction(s). See the [Ministry of Justice website](https://www.justice.govt.nz/criminal-records/) for more information

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| 1. In the past five years, have you ever received any warnings, diversions, petty offence charges, administrative penalties or infringement notices for non-compliance under the Customs and Excise Act 2018 or Biosecurity Act 1993? | Choose Yes or No |
| 1. Have you ever been convicted for an offence under the Customs and Excise Act 2018, the Hazardous Substances and New Organisms Act 1996, the Biosecurity Act 1993, the Immigration Act 2009, the Civil Aviation Act 1990, the Wine Act 2003 or the Maritime Transport Act 1994? | Choose Yes or No |
| 1. Have you ever been convicted in New Zealand or in any other country for an offence involving dishonesty or drugs? | Choose Yes or No |
| 1. Are you presently facing criminal charges in any areas described in 1, 2 or 3 above? | Choose Yes or No |
| 1. Are you currently bankrupt or have had a previous bankruptcy under the Insolvency Act 1967 or the Insolvency Act 2006? | Choose Yes or No |
| 1. Have you ever been prohibited under section 382, 383, 385 or 386A of the Companies Act 1993 from being a director or a promoter of, or taking part in, the management of a company? | Choose Yes or No |
| 1. Is there any other information that is relevant to your fit and proper person status that has not been addressed in the questions above? | Choose Yes or No |

If you selected “Yes” to any of the above questions, please provide details below. Include an explanation of the circumstances and steps taken to address the issue and attach any evidence to support these steps (e.g., references, certificates etc.).

Click or tap here to enter text.

### Declaration and consent

I Insert full name being position held of Name of sole trader, partnership, registered company, trust, as applicable hereby declare that the particulars contained in this declaration are true and correct.

I authorise the collection by the Chief Executive of the New Zealand Customs Service, or his or her delegate from, and the disclosure to the chief executive by, any person, organisation, or government department in any country of any information about me for the purposes of determining that the licensee of the Customs-controlled Area remains a fit and proper person to hold a licence. I also acknowledge that the chief executive may, at any time, require further information relevant for these purposes.

Signature: Date: Select date.

## Important information about filling in this declaration

1. You must answer all boxes that apply.
2. This declaration must be accompanied by a Ministry of Justice criminal record, which is available from the [Ministry of Justice website](https://www.justice.govt.nz/criminal-records/). The declaration and criminal record must not be older than **three months** from the receipt of this declaration. If the person has lived overseas for more than 12 consecutive months within the last five years, a criminal record from that country or countries is also required. This should be dated to within three months of the person leaving that country.
3. Any persons specified as key contact persons (or others involved in the Customs-controlled Area as owners, directors or senior managers etc.) may also be required to complete a declaration and provide a copy of their criminal record, if requested to do so by a Customs officer.
4. A Customs-controlled Area licence may be suspended or revoked under section 64 of the Customs and Excise Act 2018 if any false information is provided in relation to the matters on this declaration, or if the Chief Executive considers the fit and proper person status of the licensee is unsatisfactory.
5. Any information you give us is used only for the purpose of determining the fit and proper person status of the licensee.
6. You have the right to add information or request a correction to this information. You can do this by contacting the Customs-controlled Area licensing officer at your local Customs office.

## Privacy Act 1993

The personal information on this form will be used as part of the assessment of the fit and proper person status of the licensee of the Customs-controlled Area. This declaration and accompanying Ministry of Justice criminal record will be kept on an electronic file with access limited to those Customs officers who need access to the information to undertake their duties.

If you do not provide the information required, the Customs-controlled Area licence granted to the licensee may be revoked or suspended under section 64(1)(e) of the Customs and Excise Act 2018.

The Privacy Act 1993 provides the right to request access to, and correction of, personal information. If you wish to exercise these rights please contact the New Zealand Customs Service on 0800 428 786 or email: [feedback@customs.govt.nz](mailto:feedback@customs.govt.nz) or write to us at PO Box 2218, Wellington.