



Application for registration as a user of Customs automated system

Section 164, Customs Revenue and Border Protection Act 2012

Section 1 - Identification details

Surname:..... First name.....

Other name by which you are commonly known.....

Revenue Management Division number (RMD#).....

Form of identification - (You must provide one type of identification. Please tick the form of identification you are submitting)

- Birth certificate No:.....
- Passport No:.....
- Cook Islands driver's licence No:.....
- Other form of identification (details):.....

Note that you may be asked to provide an alternative identification if the one supplied is unsatisfactory

Section 2: Contact details

Work contact details

Company name:.....

Mailing address:

Physical address:.....

Phone No:.....

Email address:.....

Home contact details

Mailing address:.....

Physical address:.....

Phone No:.....

Email address:.....

Section 3: Reasons for registration

- Indicate by circling which of the following reasons apply:

Importing goods for your own use	Yes / No
Exporting goods for your own use	Yes / No

- Employed by or conducting business as a –

Customs broker dealing in imports	Yes / No
Company/entity that imports goods	Yes / No
Customs broker dealing in exports	Yes / No
Company/entity that exports goods	Yes / No

- If you are employed by or conducting business as a company/entity that imports or exports goods, state the name(s) and Revenue Management Division (RMD) number(s) of the company (or companies) or entity (or entities) in whose name you wish to lodge entries:

Company/Entity.....	RMD#.....
Company/Entity.....	RMD#.....
Company/Entity.....	RMD#.....

- If you are employed by or conducting business as a Customs broker, state name(s) of the Revenue Management Division (RMD) number(s) of the broker company (or companies) in whose name you wish to lodge entries:

Broker.....	RMD#.....
Broker.....	RMD#.....
Broker.....	RMD#.....

Section 5: Transmission details

How do you, or will you, transmit entries to the Customs?

.....
.....
.....

Section 6: Declaration

I, (*Full name*)....., declare that the information I have provided is true, correct, and complete.

I am aware of the provisions of section 164 to 169 and 236 to 237 of the Customs Revenue and Border Protection Act 2012 (see overleaf).

I also understand that only registered users may have access to the Customs automated system and that I cannot share my registered user code for another person to use without committing an offence under the Act. (Sections 163 and 238 below)

Signature of applicant:.....

Date:...../...../.....

You are advised that the information requested on this form is collected to enable you to enter goods by electronic messages in the prescribed form and for the Customs to verify the correctness of the entries for Customs purposes.

The Customs Revenue and Border Protection Act 2012 provides that every entry of goods must be made in such form and within such time and in such manner as may be prescribed. If you do not supply the information you will not be able to enter goods by means of an electronic message through the Customs computerised entry systems.

163. Access to Customs automated systems –

No person may transmit to, or receive information from, a Customs automated system unless that person is an individual who is registered by the Comptroller as a user of that Customs automated system

238. Offences in relation to security of, or unauthorised use of, unique user identifiers –

- (1) A registered user of a Customs automated system who fails to comply with or acts in contravention of any condition imposed by the Comptroller relating to the security of that registered user's user identifier commits an offence.
- (2) A person who—
 - (a) not being a registered user, uses a unique user identifier; or
 - a. (b) being a registered user, uses the unique user identifier of any other registered user— to authenticate a transmission of information to Customs automated system commits an offence.
- (2) Every person who commits an offence against this section is liable on conviction to a fine not exceeding \$10,000.

164. Registered users –

- (1) An individual who wishes to be registered as a user of a Customs automated system may apply in writing to the Comptroller in the prescribed form and must provide such information in relation to the application as is prescribed.
- (2) The Comptroller may require an applicant for registration to give such additional information as the Comptroller considers necessary for the purpose of the application.
- (3) The Comptroller may—
 - (a) grant the application subject to such conditions as the Comptroller thinks fit; or
 - (b) refuse the application.
- (4) The Comptroller must give notice in writing to the applicant of his or her decision.
- (5) An applicant who is dissatisfied with a decision of the Comptroller under this section may, within 20 working days after the date on which notice of the decision is given, appeal to a Customs Appeal Authority against that decision.

165. Registered users to be allocated unique user identifier –

- (1) An individual who is registered as a user of a Customs automated system must be allocated a unique user identifier for use in relation to that Customs computerised entry processing system by the Comptroller in such form or of such a nature as the Comptroller may determine.
- (2) The unique user identifier allocated under subsection (1) must be used by the registered user for the purpose of transmitting information to or receiving information from that Customs automated system.
- (3) The Comptroller may, by notice in writing, impose conditions on a particular registered user, or on registered users generally, relating to the use and security of unique user identifiers.

166. Use of unique user identifier –

- (1) Where information is transmitted to a Customs automated system using a unique user identifier issued to a registered user by the Comptroller for that purpose, the transmission of that information is, in the absence of proof to the contrary, sufficient evidence that the registered user to whom the unique user identifier has been issued has transmitted that information.
- (2) Where a unique user identifier is used by an individual who is not entitled to use it, subsection (1) does not apply if the registered user to whom the unique user identifier was issued has, prior to the unauthorised use of that unique user identifier, notified Customs that the unique user identifier is no longer secure.

167. Conditions may be imposed on registered users –

- (1) The Comptroller may impose a condition on the existing registration on either or both of the following: (a) a specified registered user or class of registered users: (b) all registered users.
- (2) A condition imposed under subsection (1) must be notified in writing to the one or more registered users concerned and must, unless the one or more registered users concerned appeals under subsection (3), be complied with on or before—
 - (a) the 20th working day after the date of notification of the imposition of the condition on the registered user's registration; or
 - (b) a later date specified by the Comptroller.
- (3) A registered user who is dissatisfied with the imposition of such a condition on his or her user registration under subsection (1) may appeal in writing to the Customs Appeal Authority within 20 working days after the date of notification of the imposition of the condition on the registered user's registration.
- (4) If the Customs Appeal Authority is of the view that the imposition of the conditions under subsection (1) was reasonable in the circumstances, the registered user must comply with the condition on or before—
 - (a) the 10th working day after the date of notification of the Authority's decision; or
 - (b) a later date specified by the Customs Appeal Authority.

168. Suspension or cancellation of registration of registered user –

- (1) The Comptroller may by written notice to a registered user (which must state grounds for the cancellation) cancel that user's registration if satisfied that the user—
 - (a) has failed to comply with a condition imposed by the Comptroller under section 164(3) or section 165(3); or
 - (b) has failed to comply with a condition imposed by the Comptroller under section 167(1) within the time frame specified in that section; or
 - (c) has been convicted of— (i) an offence against this Act or the Narcotics and Misuse of Drugs Act 2004; or (ii) a crime involving dishonesty (as defined in section 2 of the Crimes Act 1969); or
 - (d) is, on 1 or more prescribed grounds, unfit to continue to be a registered user.
- (2) Despite subsection (1), the Comptroller may by written notice to a registered user (which must state grounds for the suspension) suspend that user's registration until a date or event specified in the notice if satisfied that the user's registration should not be cancelled, but should instead be suspended until that date or event, because the user—
 - (a) has failed to comply with a condition imposed by the Comptroller under section 164(3) or 165(3); or
 - (b) has failed to comply with a condition imposed by the Comptroller under section 167(1) within the time frame specified in that section.
- (3) The date or event specified in the notice under subsection (2) may, but need not, be the user's compliance with a condition imposed by the Comptroller under section 164(3), 165(3), or 167(1).
- (4) If the person whose registration is suspended or cancelled is dissatisfied with the decision of the Comptroller under this section, that person may, within 20 working days after the date on which notice of the decision is given, appeal to a Customs Appeal Authority against that decision.

169. Customs to keep records of transmission –

- (1) Customs must keep a record of every transmission sent to or received from a registered user using a Customs automated system.
- (2) The record described in subsection (1) must be kept for a period of 7 years from the date of the sending of or the receipt of the transmission, or for such other period as may be prescribed.

236. Unauthorised access to or improper use of Customs automated system –

- (1) Every person commits an offence who—
 - (a) knowingly and without lawful authority by any means gains access to or attempts to gain access to any Customs automated system; or
 - (b) having lawful access to any Customs automated system, knowingly uses or discloses information obtained from such a computer system for a purpose that is not authorised; or
 - (c) knowing that he or she is not authorised to do so, receives information obtained from any Customs automated system and, uses discloses, publishes, or otherwise disseminates such information.
- (2) Every person who commits an offence against this section is liable on conviction—
 - (a) in the case of an individual to imprisonment for a term not exceeding 2 years or to a fine not exceeding \$30,000;
 - (b) in the case of a body corporate, to a fine not exceeding \$80,000.

237. Interference with Customs automated system –

- (1) Every person commits an offence who—
 - (a) by any means knowingly falsifies any record or information stored in any Customs automated system; or
 - (c) knowingly damages or impairs any Customs automated system; or
 - (c) knowingly damages or impairs any duplicate tape or disc or other medium on which any information obtained from a Customs automated system is held or stored otherwise than with the permission of the Comptroller.
- (2) Every person who commits an offence against this section is liable on conviction to imprisonment for a term not exceeding 3 years or to a fine not exceeding \$30,000.