

**COMMONWEALTH OF AUSTRALIA**  
**CEO DETERMINATION NO. 1 OF 2005**

***Customs Act 1901***

I, LIONEL BARRIE WOODWARD, Chief Executive Officer of Customs determine the following information technology requirements under section 126DA of the *Customs Act 1901*.

CEO Determination No. 1 of 2004 is revoked.

Dated: 15 July 2005

LIONEL BARRIE WOODWARD

Chief Executive Officer of Customs

## PART 1 - PRELIMINARY

### 1.01 Name of Determination

This Determination is CEO Determination No. 1 of 2005.

### 1.02 Commencement

This Determination commences on 19 July 2005.

### 1.03 Definitions

In this Determination:

**Act** means the *Customs Act 1901*;

**amended Customs Act** has the same meaning as in section 4 of the *Customs Legislation Amendment (Application of International Trade Modernisation and Other Measures) Act 2004*;

**commencement day** means 19 July 2005;

**COMPILE computer system** means the computer system that was in use on 18 July 2005 to make computer import entries;

**import cut-over time** has the same meaning as in section 4 of the *Customs Legislation Amendment (Application of International Trade Modernisation and Other Measures) Act 2004*;

**PIN number**, in relation to a registered COMPILE user, means the personal user identification number allocated to the user under subsection 77A(9) of the unamended Customs Act and that has not been cancelled under subsection 77A(11) of the unamended Customs Act.

**registered COMPILE user** means a person who is registered as such a user under subsection 77A(5) of the unamended Customs Act;

**Secure HTTP** means secure Hypertext Transfer Protocol;

**S/MIME** means Secure/Multipurpose Mail Extensions;

**SMTP** means Simple Mail Transfer Protocol;

**unamended Customs Act** has the same meaning as in section 4 of the *Customs Legislation Amendment (Application of International Trade Modernisation and Other Measures) Act 2004*;

**UN/EDIFACT** means the international standard for EDI, known as Electronic Data Interchange For Administration, Commerce and Transport, administered by the United Nations.

## **PART 2 - INFORMATION TECHNOLOGY REQUIREMENTS FOR COMMUNICATIONS MADE UNDER SECTION 119AA OF THE ACT**

### **2.01 Information technology requirements for communication**

Persons who wish to communicate with Customs electronically under section 119AA of the Act must communicate with Customs using a SMTP e-mail addressed to a nominated Customs mail box dedicated to the receipt of such messages.

### **2.02 Information technology requirements for signature**

A person who is required to give the person's signature to Customs in connection with an electronic communication under section 119AA of the Act must:

- a) where the communication is being sent by an individual (including an individual sending the communication on behalf of an organisation) – place their full name in the SMTP e-mail which contains an application made under subsection 119AA(2) of the Act;
- b) where the communication is being sent by an individual on behalf of an organisation – place the name and ABN of the organisation (if the organisation has an ABN) in the SMTP e-mail which contains an application made under subsection 119AA(2); and
- c) in any event take such other steps in relation to signing the communication as is required in the statement approved (as in force from time to time) made for the purposes of section 119AA of the Act.

## **PART 3 - INFORMATION TECHNOLOGY REQUIREMENTS FOR ENTRIES OF WAREHOUSED GOODS, SHIPS AND AIRCRAFT AND RETURNS**

### **3.01 Information technology requirements for communication**

The information technology requirements in items 3.02 to 3.04 apply to a person who wishes to electronically communicate to Customs:

- a) a return under subsection 69(5) of the Act;
- b) a return under subsection 70(7) of the Act;
- c) an entry for home consumption of warehoused goods;
- d) an entry of a ship or aircraft (other than a ship or aircraft imported on board a ship or aircraft);

made after the commencement day but before the import cut-over time.

### **3.02 COMPILE computer system**

The person must communicate with Customs using the COMPILE computer system.

### **3.03 Registered user**

The person must be a registered COMPILE user.

### **3.04 Information technology requirements for signature**

A person who is required to give the person's signature to Customs in connection with the following electronic communications:

- a) a return under subsection 69(5) of the Act;
- b) a return under subsection 70(7) of the Act;
- c) an entry for home consumption of warehoused goods;
- d) an entry of a ship or aircraft (other than a ship or aircraft imported on board a ship or aircraft);

must use the person's PIN number.

## **PART 4 - INFORMATION TECHNOLOGY REQUIREMENTS FOR OTHER COMMUNICATIONS**

### **4.01 Information technology requirements for communication**

The information technology requirements in items 4.02 to 4.04 apply to a person who is required or permitted to make a communication with Customs under Division 3 or 4 of Part IV or Division 2 of Part VI of the amended Customs Act, except communications covered by Part 2 or 3 of this Determination, and wishes to communicate with Customs electronically.

### **4.02 General requirements for electronic communications**

The person must:

- a) communicate either by:
  - (i) Electronic Data Interchange (EDI) message using an S/MIME SMTP e-mail to a specified Customs e-mail address; or
  - (ii) the Customs Interactive facility using a Secure HTTP form on a Customs website;
- b) be registered in:
  - (i) the Customs Connect Facility, and
  - (ii) the Integrated Cargo System;
- c) communicate with Customs using Public Key Infrastructure (PKI) in accordance with the Commonwealth's Gatekeeper® strategy administered by the Australian Government information Management Office (within the Department of Finance and Administration) ; and
- d) configure the person's e-mail software with the appropriate digital certificate(s) to be able to decrypt encrypted e-mails sent to them from Customs.

### **4.03 Standards and message specifications for EDI messages**

A person who communicates electronically with Customs by EDI message must:

- a) use the UN/EDIFACT D99B standards and attach the EDI message to an S/MIME SMTP e-mail. The method for applying the standards must be in accordance with the ICS Message Implementation Guidelines of the CMR Software Developers Guide, as in force at the time when this Determination takes effect and published on the Customs web site ([www.customs.gov.au](http://www.customs.gov.au));
- b) sign and encrypt the message to Customs; and
- c) be able to decrypt an EDI message from Customs.

#### **4.04 Customs Interactive**

A person who communicates electronically with Customs via the Customs Interactive facility must use the web-based approved statements made available by the Customs business application, that is, the Integrated Cargo System. The minimum Internet browser standard for such transactions is Microsoft Internet Explorer 5.5 Service Pack 2.

#### **4.05 Information technology requirements for signature**

The information technology requirements in items 4.06 to 4.08 apply to a person who is required to sign an electronic communication with Customs under Division 3 or 4 of Part IV or Division 2 of Part VI of the amended Customs Act, except communications covered by Part 2 or 3 of this Determination.

#### **4.06 Digital signature and certificate**

- 1) The person must use a digital signature and associated digital certificate.
- 2) The digital certificate must be issued by a Gatekeeper® accredited Certification Authority and issued in accordance with a Gatekeeper® Certificate Policy and Certificate Practice Statement. The Certification Authority must be approved by Customs.
- 3) The person must use at least one of the following four types of certificates, depending on the nature of the communicator and the communication:
  - a) **Type 1 – Grade 2 Individual Certificate** may be used by an individual. The digital certificate identifies that person;
  - b) **Type 2 – Grade 2 Non-Individual Certificate** may be used by an organisation (not being an individual) without an Australian Business Number (ABN). The digital certificate identifies the organisation and an associated individual;
  - c) **Type ABN-DSC Grade 2 Certificate** may be used by an organisation with an ABN. The digital certificate identifies the organisation and an associated individual;
  - d) **Type 3 - Device Certificate** may be used by a person who communicates EDI messages to a Customs system using an application or device (software or hardware). The digital certificate identifies the person and the application or device used.
- 4) A person using a Type 3 Certificate must first obtain a Type ABN-DSC Grade 2 Certificate.

#### **4.07 Signing an EDI transaction**

EDI communications with Customs must be digitally signed and encrypted using PKI in accordance with the Commonwealth's Gatekeeper® Strategy. Customs expects, in accordance with the Commonwealth's Gatekeeper®

Strategy, that a person who communicates with Customs via EDI will use a Type 3 certificate.

#### **4.08 Application of signatures in the Customs Interactive Facility**

A person using the Customs Interactive facility must use a digital signature and digital certificate for online authentication in accordance with the Commonwealth's Gatekeeper® Strategy.

**PART 5 - INFORMATION TECHNOLOGY REQUIREMENTS RELATING TO PRODUCING DOCUMENTS TO CUSTOMS ELECTRONICALLY**

- 1) Where a person is required to produce a document to Customs, the document may be produced by electronic communication by sending the document to Customs as an MIME attachment to an SMTP e-mail addressed to a nominated Customs mail box dedicated to the receipt of such documents.
- 2) The attached document must be in a format that can be opened, viewed and printed in one of the following document standards:
  - a) Microsoft Word,
  - b) Microsoft Excel,
  - c) HTML,
  - d) PDF,
  - e) Plain Text, or
  - f) JPEG