



OPERATING PROCEDURES

Authority to Act

1. The Board Executive Board (the Board) will grant authority to act to other parties as needed to enable the pragmatic, effective, and efficient operation of the Board. These are summarised below.

Authority to Act		Who	Intent
Chair of the Border Executive Board	Lead the Board Day-to-day administration and management of Border Executive Board activity	Comptroller New Zealand Customs Service	Enable the Border Executive Board to focus on governance activity and enable timely management of day-to-day activity
Servicing Department	Administrative tasks and corporate support	New Zealand Customs Service	Remove the administrative burden from the Board and small secretariat team
Vote Administrator	Administration of the Border System Performance appropriation	Comptroller New Zealand Customs Service	Enable pragmatic administration of the appropriation and relieve administrative burden from the Board and small secretariat team
Employment of secretariat staff	Appoints secretariat staff on behalf of the Board and manages staff on behalf of the Comptroller of Customs and the Board	Executive Director of the Border Executive Board	Efficient and pragmatic day-to-day people management with oversight retained by the Board

2. Members of the governance board are jointly responsible and accountable for the operation and performance of the Board.
3. Board members retain decision making authority and accountability for allocating resources and delivering services and functions of their respective agencies.

Board Meetings

4. The governance board members are the chief executives of the six remit agencies.
5. The Chair is responsible for ensuring the Board meets at the required frequency with appropriate content.
6. Members are expected to participate in discussions bringing their agency view and insights from their experience as a public service leader.

Approach to meetings

7. An annual meeting schedule will be provided for each calendar year. The Board can meet as required, or when the Chair deems it necessary.
8. The Chair may invite non-members to attend a Board meeting. In those circumstances, the invited party may participate in discussions at the discretion of the Chair, but is not a member of the Board, does not form part of the quorum, and has no decision-making authority.

9. Meetings are encouraged to be held in person but can also be held using audio visual or electronic communication.

Quorum

10. A meeting of the Board may be held by a quorum of its members assembled at the appointed time and place of the meeting. No decisions or direction can be made if there is no quorum. The Board may meet for information sharing purposes.
11. A quorum for a meeting of the Board is three of the six chief executive members. This may include a person acting with formal chief executive delegations.
12. The Chair of the Board, or a substitute Chair, must be in attendance for a meeting to be held. A substitute member may Chair the meeting, with the agreement of the other members, if the substantive Chair is absent for a meeting.

Appointment and delegation of Chair responsibilities

13. The Chair is appointed by the Public Service Commissioner under Section 29 of the Public Service Act 2020 from one of the chief executive members of the governance board.
14. The Comptroller of Customs has been appointed the Chair. This means that the person holding the delegations of the Comptroller of Customs is considered the Chair unless specific delegations are made.
15. The Comptroller may delegate the Chair responsibilities under Schedule 6, Clause 2, of the Public Service Act 2020. The delegation will be to another chief executive member of the governance board.

Delegates

16. Members are expected to attend all meetings of the Board. However, they may send a delegate in their place if they cannot attend a meeting. This delegate is expected to fully participate and contribute to decision making on behalf of their respective agency. The delegate will only form part of the Board's quorum if they are acting with formal chief executive delegations.

Board decisions

17. The Board may make decisions from its governance and/or assurance perspective including, but not limited to, initiatives relating to the border system, the design and integrity of the border, infrastructure investment that involves more than one agency, and the health and safety of border staff.
18. Decisions on day-to-day matters relating to the border will continue to be managed by each border agency.
19. Decisions are expected to be made by consensus of all members. The Board may decide by majority if consensus cannot be achieved. The alternative view will be recorded in the minutes and reflected in any advice given to the Government or agencies.

Meeting agenda and minutes

20. The Chair, supported by the secretariat, establishes the agenda for each Board meeting and forward work programme.
21. Minutes and supporting material will be prepared by the Board secretariat.
22. The minutes will be approved by the Board at the next meeting.

Conflicts of interest

23. Board members must declare any potential, perceived, and actual conflicts of interest to the Chair who will agree management measures, as needed. Conflicts of interest relating to employment are managed via Te Kawa Mataaho Public Service Commission who administer employment of Chief Executives.

Conflict Resolution

24. Members are expected to be able to raise differing views and matters relating to board dynamics constructively and resolve these amongst themselves most of the time. The Chair is available to discuss any matters with members.
25. Unresolved issues should be brought to the attention of the Chair who will attempt to facilitate a resolution. Should issues remain, the Chair will seek assistance from the Public Service Commissioner.

Resources

Secretariat

26. Cabinet agreed that a small secretariat team be established to support the Board and that this is funded by the Border System Performance appropriation.
27. The secretariat is led by an Executive Director, who is not a member of the Board. The secretariat sits within the servicing department and benefits from the servicing department's administrative help. The Executive Director and any staff are employed by the New Zealand Customs Service, as the servicing department), and assigned to the secretariat. The Executive Director reports to the Chair and the Board. The Executive Director may hire staff. The secretariat staff follow Customs policies and procedures.
28. Working with the Chair, the Secretariat plans the forward agenda and provides minutes and meeting logistics to each Board member ahead of meetings of the Board. The Secretariat supports the Board and any senior officials' group to effectively carry out its responsibilities of improving the overall performance of the border system.
29. The secretariat will facilitate activity between border agencies to support the delivery of joint outcomes, and by servicing the responsible Minister in providing reporting on the work of the Board, drafting responses for Parliamentary Questions, Official Information Act requests, Ministerial correspondence, and Select Committee Processes.
30. The Secretariat will also:
 - develop and monitor the delivery of the Border Sector Strategy and Board work programme
 - monitor and report on system measures and performance
 - develop and manage a risk and assurance framework, and provide advice on issues and risks across the system
 - write papers to Ministers and Cabinet as required by the Board
 - regularly report on the Board's financial and non-financial performance.

Senior Officials Group/s

31. Senior officials will be convened as needed to support the Board.
32. The group/s will support the Board to achieve its purpose. Activity may include:
 - ensuring a sector wide approach is taken to the development and realisation of the Border Sector Strategy and Work Programme
 - enabling delivery of the Strategy and Work Programme through testing direction and feasibility, resource allocation, prioritisation, performance monitoring, and resolving issues and risks
 - sharing information to keep the border agencies and Crown entities informed to ensure identification of gaps, opportunities, dependencies, or duplication of activity
 - collaborating to provide a joined-up approach to border activity and alignment with border sector priorities.

New Zealand Customs Service

33. The New Zealand Customs Service will provide administrative and corporate support to the secretariat team as the servicing department. It will also administer the appropriation Border System Performance as Vote Administrator.

Border Member Agencies

34. The departments of the six chief executives will inform and deliver the Board's work programme within the scope of their respective authority.

Responsible Minister

35. The Minister responsible for the Border Executive Board is determined by the Prime Minister. As at 27 November 2023, the responsible Minister is the Minister of Customs.

Review

36. The Operating Protocols can be amended at any time, with the agreement of the Board.

Supporting Documents

- Proactive release paper and Cabinet minute Border Executive Board: Border Sector Strategy and Refreshing of Accountabilities DEV-23-MIN-0075
- Proactive release paper and Cabinet minute establishing Border Executive Board: COVID-19 Response Paper 4 – Overview of institutional and governance arrangements and funding for our ongoing COVID-19 response (CAB-20-SUB-0099) and CAB-20-MIN_0099.

Updated: January 2024