

DISALLOWABLE INSTRUMENT



PURSUANT to section 421(1) of the Customs and Excise Act 2018

I, Christine Stevenson, acting-Chief Executive of the New Zealand Customs Service, make the following rules:

Customs (Applications for Registered User System Registration) Rules 2018

Signed at Wellington

This 24th day of August 2018

Christine Stevenson

Acting-Comptroller of Customs

Customs (Applications for Registered User System
Registration) Rules 2018

CR 2018/RUS1

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Part 1

Rules

Section 1 Title, application, commencement, and revocation

1.1 Title

These Rules are the *Customs (Applications for Registered User System Registration) Rules 2018*.

1.2 Application and purpose

These Rules apply to applications for registration as a user of the registered user system known as JBMS in accordance with regulation 80C(1) of the Regulations and are made for the purpose of prescribing the way in which applications must be made.

1.3 Commencement

These Rules come into force on 1 October 2018.

1.4 Interpretation

1.4(1) In these Rules, unless the context otherwise requires—

Act means the Customs and Excise Act 2018

Form means a form prescribed by the Chief Executive and set out in these Rules and includes a form in an electronic message format the content of which is prescribed by the Chief Executive

Joint Border Management System (JBMS) has the meaning given to it in section 302 of the Act

Regulations means the Customs and Excise Regulations 1996

Trade Single Window (TSW) means the computer system application jointly managed by Customs and Ministry for Primary Industries as part of the JBMS that enables parties involved in international trade and transport to submit craft and cargo clearance data that is required by New Zealand border agencies electronically, once, through one entry point

1.4(2) Unless the context otherwise requires, a term that is used in these Rules and defined in the Act but not defined in these rules has the meaning given in the Act.

Section 2 Applications

2.1 Application for registration must be made in the way prescribed

- 2.1(1) A person applying for registration as a user of the JBMS must make the application in accordance with 2.2.
- 2.1(2) Every person making an application in accordance with 2.2 shall provide the information required in the prescribed form.

2.2 Form and manner of application

- 2.2(1) 2.2(2) applies to all individuals applying to be a JBMS user.
- 2.2(2) An application to be a JBMS user must be made in Form C9 as set out in Schedule 1 and must be completed in Trade Single Window.
- 2.2(3) 2.2(4) applies to any individual ordinarily resident in New Zealand who, having been registered as a JBMS user, intends to submit lodgements to the JBMS.
- 2.2(4) An application to submit lodgements to the JBMS must be made in Form C10 as set out in Schedule 2 and must be completed in Trade Single Window.
- 2.2(5) In addition to the form required by 2.2(2), Form C14 set out in Schedule 3 must be submitted at the time an application for registration as a user of the JBMS is made.

2.3 Requirement to provide answers and make declaration

- 2.3(1) The person making an application for registration as a user of the JBMS in any form specified under rule 2.2 must provide the answers to all matters as are required in or by that form.
- 2.3(2) Where the form requires a declaration to be made, the person must make any such declaration.

2.4 Supporting Documentation

- 2.4(1) In respect of an application made under 2.2(4) using Form C10, copies of the following documents must be supplied:
- (a) a passport, or New Zealand driver's licence, or any other form of identification bearing a photo of the applicant that is acceptable to the chief executive as a comparable form of identification; and
 - (b) if the applicant is making the application in a name that is different from the name that is on the form of identification provided under 2.4(1)(a), or if the applicant has been known by any other name previously, the applicant must provide:
 - (i) a birth certificate;
 - (ii) a marriage certificate;
 - (iii) a deed poll of change of name; or

- (iv) any other comparable evidence of identity that is acceptable to the chief executive as evidence of the identity of the applicant.

2.4(2) If any form of personal identification required by 2.4(1) is not written in English, the applicant must provide an English translation of the personal identification, certified by a translator nominated by the chief executive.

2.5 **Notes**

Where a prescribed form contains any explanatory or other notes, such notes do not form part of the prescription but are intended to assist the applicant in the completion of the application.

Part 2 Schedules

Schedule 1

2.2(2) – Form C9

	NEW ZEALAND CUSTOMS SERVICE TE MANA ARAI O AOTEAROA	Ministry for Primary Industries Manatū Ahu Matua		FORM C9 OCTOBER 2018
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Application to be a Trade Single Window User

Section 323, Customs and Excise Act 2018

To apply for registration as a user of Trade Single Window (TSW)

Applicant details

First Name(s): Last Name:

Previous name(s)

First Name(s): Last Name:

Other Names by which you are known:

Country of Birth: Date of Birth:

Occupation: Gender:

External Reference Number:

Physical Address details

Street Number:

Unit Number: Floor Level:

Property Name: Property Type:

Street Name: Street Type:

Suburb: Town/City:

State: Country:

Postcode:

Postal Address (if **not** same as above)

Street Number:

Unit Number: Floor Level:

Property Name: Property Type:

PO Box: Private Bag:

Street Name: Street Type:

Suburb: Town/City:

State: Country:

Postcode:

Contact Number

Type:

Other Option:

Country Code: Area Code: Phone Number:

Email Address:

Why do you want to use TSW?

What do you want to do on behalf of clients?

- ☐ Register people and organisations to get **client codes**
- ☐ Submit **import and export declarations** and reports

What do you want to do for an organisation?

- ☐ **Register** and **get client codes** for the organisation I own or work for
- ☐ Look at the status of my organisation's **import and export declarations** or reports
- ☐ **Submit import and export declarations** or reports
- ☐ Be an **administrator for the organisation** to keep details up to date and manage staff permissions
- ☐ **Report on a vessel** coming in or going out of New Zealand
- ☐ Register a **Customs Controlled Area** or **Transitional / Containment Facility**
- ☐ Register **overseas organisations** or people for a **supplier code**

What do you want to do for yourself?

- ☐ Get **client codes**, so I can import, export or be a premises operator
- ☐ **Update my own details** and existing **client codes**, and/or look at the status of my **import or export declarations**
- ☐ Register a **Customs Controlled Area** or a **Transitional / Containment Facility**
- ☐ Submit **import and export declarations** or reports

Criminal ConvictionsDo you have any convictions for any of the offences as specified Regulation 80A of the Customs and Excise Regulations 1996? **Yes** ☐ **No** ☐

Conviction Summary

Further Information

Attachments

Document Type:

Document Reference:

Date: Signature of applicant:

Identification

One form of official identification bearing your photograph is required to be attached to your TSW online user application.

Your TSW Online application must be supported by –

- if you use a married name, or have legally changed your name for any other reason, a copy of your marriage certificate or other legal evidence of the name change, together with a translation into English certified by a Customs-nominated translator if that certificate or other evidence is not written in English; and
- your passport or New Zealand driver licence or such other form of official identification bearing your photo that Customs may approve.
- This application and the required identification must be attached as part of your TSW online application to be register as a user.

Privacy Statement

The information that is being collected on this form will enable the New Zealand Customs Service to –

- conduct a security check on you; and
- decide whether or not to register you as a TSW user for the purpose of online registrations
- contact you if required.

The New Zealand Customs Service and the Ministry for Primary Industries may also collect and use information in this form for border management and border-related risk management purposes under the Customs and Excise Act 2018 and the Biosecurity Act 1993.

The information in this form will be stored on a secure database managed by the New Zealand Customs Service and Ministry for Primary Industries.

Under the Privacy Act 1993 you have the right to request access to, and correction of, any personal information you have provided or that the New Zealand Customs Service or the Ministry for Primary Industries holds on you. Information may be withheld from you for the reasons (for refusal of requests) listed in Part 4 of the Privacy Act. You may request access and correction through any office of the New Zealand Customs Service, or any office of the Ministry for Primary Industries.



Ministry for Primary Industries
Manatū Ahu Matua



FORM C10 | OCTOBER 2018

Joint Border Management System - Registered User Application - Individual

Section 323 of the Customs and Excise Act 2018

For enquiries phone 0800 428 786

To apply for registration as a user of an integrated border management computerised system (JBMS), please supply the information as required.

Applicant Details

Last Name: First Name(s):
 Previous Names: Other names by which you are known:
 Date of Birth: Country of Birth:
 Gender: Occupation:
 TSW Registration Number External Reference Number

Identification details

Passport or Drivers Licence.....
 Mandatory - a copy must be submitted with the application. See "Note" on p3.

Employer Details

Employer Name:

Employer Physical Address

Street Number: Floor Level:
 Unit Number: Property Type:
 Property Name: Street Type:
 Street Name: Town/City:
 Suburb: Country:
 State:
 Postcode:

Employer Postal Address (if **not** same as above)

Street Number: Floor Level:
 Unit Number: Property Type:
 Property Name: Private Bag:
 PO Box: Street Type:
 Street Name: Town/City:
 Suburb: Country:
 State:
 Postcode:

Employer Contact Details

Phone Number:
 Email Address:
 Web:

IMPORTANT: If you do not ordinarily reside in New Zealand, please nominate one or more individuals ordinarily resident in New Zealand as your representative on page 4.

Reasons for Registration

Select all of the following reasons you are registering as a user:

- ☐ **Importing** goods for personal use
- ☐ **Exporting** goods in your own name
- ☐ Entering **excise** goods

Are you employed by or conducting business as a...

- | | |
|---|---|
| ☐ Customs broker dealing with imports ? | ☐ Company or entity dealing with imports ? |
| ☐ Customs broker dealing with exports ? | ☐ Company or entity dealing with exports ? |
| ☐ Customs broker entering goods for excise ? | ☐ Company or entity dealing with excise ? |

Transmission Details

How do you or will you transmit lodgements to Customs? (Select all that apply)

- ☐ The Trade Single Window online lodgements Internet site operated by the New Zealand Customs Service and the Ministry for Primary Industries
- ☐ A commercial software package: *(State name of software package)*
- ☐ A system developed for your company

Client code details

If you are importing goods for your own use or exporting goods in your own name, or employed by or conducting business as a company/entity that imports or exports goods or a company/entity that is dealing in excisable goods, or reporting on craft or reporting on cargo (or carrying out more than 1 of these activities), state below the client code(s) for all the entities in whose name you wish to lodge entries or reports.

If you are employed by or conducting business as an agent/ a broker, state below the name(s) or client code(s) of the agent/broker company (or companies) in whose name you wish to lodge entries and/or reports.

Add link to Organisation/Brokerage?	Yes ☐ No ☐	Organisation/Brokerage Client Code(s):.....
Remove link to Organisation/Brokerage?	Yes ☐ No ☐	Organisation/Brokerage Client Code(s):.....
Authority to link attached:	Yes ☐ No ☐	

Authority to Link: For a TSW user to be linked requires the attachment of an endorsement from the organisation that user is requesting to be linked to. This should be on the organisation letterhead and be signed by a named responsible person within the company such as manager, user's supervisor or company officer.

Notification Preferences

To receive TSW notifications for lodgements - select ONE of the following notification methods:

Do not notify ☐	Email ☐	B2B Messaging ☐
Add name(s) to be notified:		Email:

If TSW notification preferences requested - select any/all of the following WCO lodgement types:

Import ☐	Export ☐	OCR ☐	CRE ☐	ICR ☐	ANA ☐	AND ☐	Excise ☐
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For the lodgement type requested - select any/all of the following lodgement status:

Cancelled ☐	Cleared ☐	Directions given ☐	Declaration Required ☐	Error ☐	Written Off ☐
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Criminal convictions

Note: Information on criminal convictions does not have to be provided if you meet the eligibility criteria of the Criminal Records (Clean Slate) Act 2004. Information on these criteria is available on the Ministry of Justice website.

Do you have convictions for an offence under any of the enactments described in the definition of "relevant offence", as specified in regulation 80A of the Customs & Excise Regulations 1996? Yes ☐ No ☐

if you answer "Yes", please list what these are:

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

Please provide any further information you think is relevant to your conviction(s):

.....
.....

Declaration

I, (full name): ... of (address).....

declare that the information I have provided is true, correct and complete in every particular.

Signature of applicant:..... Date:

Note: Making a declaration that is erroneous in a material particular is an offence under the Customs and Excise Act 2018. Making a false declaration may be an offence under the Biosecurity Act 1993, the Food Act 1981, and the Agricultural Compounds and Veterinary Medicines Act 1997.

You must supply clearly legible photo ID, preferably a copy of your passport or drivers licence. Supporting information such as a birth certificate, marriage certificate, or deed poll of change of name (including copies of such documents) will be required if the application is being made in a name different to the name on the photo ID.

Nominated Representative Page

This page is to be completed if you are required to nominate a person as your representative. Please submit supplementary pages if more than one representative is required.

Representative Details		Passport or Drivers Licence..... Mandatory - a copy must be submitted with the application. See "Note" below.	
Surname:	Previous names:		
First name:	Alias:		
Date of birth:	Country of birth:		
Gender:	Occupation:		
Contact Details – Home			
Full Street Address:		Full Postal Address:	
Suburb:		Suburb:	
City:	Post code:	City:	Post code:
Landline:	Mobile:	Email:	
Contact Details – Work			
Company Name:		Client code:	
Full Street Address:		Full Postal Address:	
Suburb:		Suburb:	
City:	Post code:	City:	Post code:
Business/DDI:	Email:	Web:	

Criminal convictions

Note: Information on criminal convictions does not have to be provided if you meet the eligibility criteria of the Criminal Records (Clean Slate) Act 2004. Information on these criteria is available on the Ministry of Justice website.

Do you have convictions for an offence for any of the enactments described in the definition of "relevant offence", as specified in regulation 80A of the Customs & Excise Regulations 1996? Yes ☐ No ☐

if you answer "Yes", please list what these are:

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

Please provide any further information you think is relevant to your conviction(s):

.....
.....

Declaration

I, (full name):of (address)

declare that the information I have provided is true, correct and complete in every particular.

Signature of nominated representative: Date:

Note: Making a declaration that is erroneous in a material particular is an offence under the Customs and Excise Act 2018. Making a false declaration may be an offence under the Biosecurity Act 1993, the Food Act 1981, and the Agricultural Compounds and Veterinary Medicines Act 1997.

You must supply clearly legible photo ID, preferably a copy of your passport or drivers licence. Supporting information such as a birth certificate, marriage certificate, or deed poll of change of name (including copies of such documents) will be required if the application is being made in a name different to the name on the photo ID.

Privacy Statement

The information that is being collected on this form will enable the New Zealand Customs Service to –

- conduct a security check on you; and
- decide whether or not to register you as a user of the Joint Border Management System to enter goods, report cargo, or report craft; and
- verify the correctness of entries, cargo reports, and craft reports you may lodge; and
- contact you as may be required.

The New Zealand Customs Service and the Ministry for Primary Industries may also collect and use information in this form for border management and border-related risk management purposes under the Customs and Excise Act 2018 and the Biosecurity Act 1993.

The information in this form will be stored on a secure database managed by the New Zealand Customs Service and Ministry for Primary Industries.

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FORM C14 | OCT 2018

Declaration of JBMS competency

I, (full name),
currently employed at(business name)
of (address)

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

declare that I am competent to use the Joint Border Management System, as required by regulation 80F of the Customs and Excise Regulations 1996.

.....
Signature

.....
Date

Customs and Excise Regulations 1996

Regulation 80F Competence

A person (**person A**) is **competent** to use a registered user system if —

- (a) person A, and persons A's employees and agents who use the system, are competent to do so; and
- (b) person A has adequate and effective systems in place to ensure that —
 - (i) person A remains competent to use the system; and
 - (ii) only employees and agents who are competent to do so are permitted to use the system.