

C12 Fit and proper person declaration for a Customs-controlled area licence



NEW ZEALAND
CUSTOMS SERVICE
TE MANA ĀRAI O AOTEAROA

About this form

Section 59(2) of the Customs and Excise Act 2018 requires that Customs be satisfied that the applicant is a 'fit and proper person' before granting them a Customs-controlled area licence. This form gathers information to help Customs determine whether the applicant is a fit and proper person.

Complete this form if any of the below apply:

- You are applying for a Customs-controlled area licence (either for yourself or on behalf of a company or organisation)
- You will be responsible for the day-to-day operations of a Customs-controlled area.
- You have been requested by a Customs officer to complete this form.

Completing this form

You can complete this form by saving a copy to your computer.

You can choose to print and complete this form by hand instead. Use a blue or black ink pen and write in CAPITAL LETTERS.

Before you start

We require the following supporting documents. Documents can be in a JPEG, PNG, PDF, or document (.doc or .docx) format. We cannot accept links to drop-boxes or external drives.

All applicants

- ☐ A New Zealand Ministry of Justice criminal record, dated within 3 months of the Customs Controlled Area licence application.

Visit <http://www.justice.govt.nz/criminal-records> to request a criminal record check.

- ☐ Supporting documents related to prior offences, if applicable.

These are optional to include in support of your responses to questions in this form.

Applicants that lived overseas for more than 12 consecutive months in the last five years

- ☐ Criminal record history from any overseas country you have resided in for more than 12 consecutive months within the last 5 years.

Q1	Personal details Details of the person completing this declaration.
Surname	
Given name(s)	
Position in organisation	
Organisation name	

Q2	Contact details Information we will use to contact you if we require further information.
Phone number	
Email address	
Preferred contact method	
☐ Phone ☐ Email	

Q3	Criminal record and behaviour history The following information is collected under Section 59(2) of the Customs and Excise Act 2018 which requires Customs to be satisfied that applicants for a Customs-controlled Area licence meet the fit-and-proper person requirements. You may be eligible under the Criminal Records (Clean Slate) Act 2004 to state that you have no criminal record even if you do have convictions. For more information, refer to the Ministry of Justice website. 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? ☐ Yes ☐ No
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2. 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 Civil Aviation Act 2023, the Wine Act 2003 or the Maritime Transport Act 1994?

☐ Yes

☐ No

3. Have you ever been convicted in New Zealand or in any other country for an offence involving dishonesty or drugs?

☐ Yes

☐ No

4. Are you presently facing criminal charges in any areas described in 1, 2 or 3 above?

☐ Yes

☐ No

5. Are you currently bankrupt or have had a previous bankruptcy under the Insolvency Act 1967 or the Insolvency Act 2006?

☐ Yes

☐ No

6. Have you ever been prohibited under section 382, 383, 385, 385AA or 386A of the Companies Act 1993 from being a director or a promoter of, or taking part in, the management of a company?

☐ Yes

☐ No

7. Is there any other information that is relevant to your fit and proper person status that has not been addressed in the questions above?

☐ Yes

☐ No

If you selected “yes” to any of the questions in this section please provide details, including the circumstances and steps taken to address the issue. You may include documents to support your response (such as references or certificates) when submitting this form.

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Declaration and consent

I declare that to the best of my knowledge the information provided in this form and attached documentation is true and correct.

I authorise the Chief Executive of the New Zealand Customs Service, or their delegate, to collect and receive information about me for the purpose of determining eligibility for a Customs-controlled area licence, from any person, organisation or government department in any country.

I acknowledge that the Chief Executive of New Zealand Customs Service, or their delegate, may request more information from me at any time for the purpose of assessing this application.

Full name	
Signature	
Date	

Checklist

- ☐ Supporting documents required, as listed in 'Before you start'
- ☐ All questions completed
- ☐ Declaration and consent completed

What happens next

Send your completed form and supporting documents to excise-licensing-national@customs.govt.nz.

Your responses will be reviewed when processing your Customs-controlled area licence application. As part of this assessment, we will also review your compliance history with Customs, publicly available information held by New Zealand Companies Office and publicly available information held by the New Zealand Insolvency and Trustee Service.

You will be advised if further information or documentation is required by Customs to determine whether you meet the fit and proper person requirements.

Providing incomplete, inaccurate or false information may result in delays processing a Customs-controlled area application, a Customs-controlled area application being rejected or suspension/revocation of a Customs-controlled area licence once issued.

How Customs collects and uses your information

The information requested in this form is collected under Section 60 of the Customs and Excise Act 2018 to assess whether you meet the fit and proper person requirements necessary to hold a Customs-controlled area licence.

This completed form and any accompanying documents will be stored securely with access restricted to staff who require the information for the purpose of determining whether you meet the fit and proper person requirements.

Under the Privacy Act 2020, you have the right to request access and correction of any personal information you have provided or that Customs holds on you. You may request access and correction through any office of Customs or at privacyrequests@customs.govt.nz. For more information please see [Your information - New Zealand Customs Service](#).