



NEW ZEALAND  
**CUSTOMS SERVICE**  
TE MANA ĀRAI O AOTEAROA

**Wellington**

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PROTECTING NEW ZEALAND'S BORDER

4 February 2014

Ref: IPC OIA 13-239

██████████  
By email: [fyi-request-1357-6386421f@requests.fyi.org.nz](mailto:fyi-request-1357-6386421f@requests.fyi.org.nz)

Dear ██████████

Thank you for your email of 20 December 2013 requesting information relating to the examination of electronic devices at the border.

Your request has been made under the provisions of the Official Information Act 1982 (the OIA).

You have asked whether, when a search results in no warning, prosecution, or other action against the equipment owner, the owner is entitled to obtain reasonably detailed information about what was done to their equipment.

You also requested copies of fact sheets and standard correspondence used to disseminate this information.

Customs has several search, inspection, examination, and detention powers, the authorities for which are found in Part 12 of the Customs and Excise Act 1996 (the Act) and in the Search and Surveillance Act 2012. That information is publicly available free of charge at [www.legislation.govt.nz](http://www.legislation.govt.nz)

Section 151 of the Act provides for Customs to examine goods subject to the control of Customs. However, there is no requirement for Customs to examine the goods in front of the importer.

Where Customs has undertaken a search of a person's baggage, whether or not that search included the search of a digital device, a report is created in Customs' database recording that search. A copy of the report can be requested by the person under the provisions of the Privacy Act 1993 (Privacy Act).

Customs does not have any fact sheets or standard correspondence used to disseminate this information. Each request for information is treated on a case-by-case basis in accordance with the provisions of the Privacy Act.

If you have any further questions please feel free to contact Customs again.

Yours sincerely,



Paul Campbell

Group Manager Border Operations

New Zealand Customs Service