



NEW ZEALAND
CUSTOMS SERVICE
TE MANA ĀRAI O AOTEAROA

PROTECTING NEW ZEALAND'S BORDER

AUCKLAND

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20 March 2023

Ref: OIA 23-019

Jason tor Vesta

By Email: fyi-request-21594-a6f21a36@requests.fyi.org.nz

Tēnā koe Jason

Request for information under the Official Information Act 1982

Thank you for your email dated 20 January 2023 to the New Zealand Customs Service (Customs), in which you request the following information under the Official Information Act 1982:

“Please provide all internal documents such as SOPs, guides, internal FAQs, staff training materials, etc. Surrounding the questions that may be asked of arriving passengers, specifically those undergoing a bag check and what questions are legally allowed to be asked per the Customs and Excise act 2018. Please include any additional information surrounding guidance for when a passenger refuses to answer a question. Please also include any examples of questions which are allowed to be asked, if this material exists.”

In response, please find attached four documents containing guidance and training material for Customs staff, regarding questions that may be asked of arriving persons by Customs officers and their respective powers and obligations under the Customs and Excise Act 2018:

- ‘*Guidelines – Questioning persons about goods and debt*’, a Customs Operational Policy and Procedures guidance document which outlines questions that may be asked by Customs officers when interacting with arriving persons at the border. This document also outlines Customs officers’ statutory powers to question persons about goods and debt, in accordance with section 205 of the Customs and Excise Act 2018
- ‘*Customs and Excise Act 2018 People Powers*’, a Customs eLearning module which presents Customs officers’ powers and obligations in relation to people, including the power to question, search, detain and arrest, and obligations under the Customs and Excise Act 2018
- ‘*Customs Officer Learning Guides – Questioning and Interviewing*’, a brief knowledge guide summarising Customs officers’ powers to question persons about goods and debt, including examples of questions that may be asked to risk assess passengers at the border

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- *'People powers reference guide'*, a one-page document which breaks down Customs officers' powers in relation to people, listed under four categories – Question, Search, Detain, and Arrest.

If you have any queries about this response, please contact the Correspondence, Reviews and Ministerial Servicing Team by email at: OIA@customs.govt.nz.

Please note that Customs proactively releases responses to Official Information Act requests on our website. As such, we may publish this response on our website after we have sent it to you. Your name and contact details will be removed.

Nāku noa, nā



Dana McDonald
Group Manager, Border Operations