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# Border Security Policy

## 1. Introduction

The Ports of Auckland Limited (“POAL”) operates, at their Waitemata seaport, a:

- Custom-Controlled Area (CCA),
- Biosecurity Control Area (BCA) under its approved Port of First Arrival (PoFA) for sea craft,
- Port Security Area (PSA),
- and is an International Health Regulations (IHR) Designated Point of Entry.

These areas overlap and are referred to as **the secure area** in this policy. **The secure area** is within the security fence and buildings as set out in Appendix A.

The POAL Waikato, South Auckland and Bay of Plenty freight hubs are not CCA, BCA, PSA, PoFA nor are they an IHR Designated Point of Entry.

## 2. Definitions

**CCA** is an area licensed by NZ Customs Services to enable certain provisions of the Customs and Excise Act 2018 to be administered within a controlled environment to manage the risk associated with the movement of people, goods and craft under Customs control, and to facilitate the collection of Customs revenue on imported and excisable goods. The licence comes with specific terms, conditions and restrictions.

**PSA** is the designated area for port operations with relevant preventative security measures in place as approved by Maritime New Zealand under the requirements of the Maritime Security Act and Regulations 2004.

**PoFA** is a designation under the Biosecurity Act 1993, for the arrival of goods/passengers. The PoFA designation establishes a **BCA**, under the control of MPI, to ensure appropriate biosecurity inspection and control of imported and exported cargos.

**IHR Designated Point of Entry** is a secure area appointed by the Ministry of Health, as per the requirements of the IHR 2005, to prevent and control the spread of disease and other public health hazards between countries.

### 3. Purpose

This policy is to ensure POAL meets the customs, biosecurity, international public health and maritime security regulations through implementing appropriate border security.

### 4. Scope

This policy applies to all people who access or operate within **the secure area**, including directors, employees and contractors of POAL and its subsidiaries, POAL tenants, visitors, and third parties.

### 5. Regulatory Requirements

POAL has a statutory obligation to comply with the New Zealand Customs Service (NZCS) Procedure Statement, Customs & Excise Act 2018, Biosecurity Act 1993, International Health Regulation 2005, International Ship and Port Facility Security (ISPS) Code through the Maritime Security Act 2004 and the Maritime Security Regulations 2004.

These regulations ensure the security of trade and tourism, border management and to safeguard port staff, users and local communities from harmful organisms, terrorism and transnational crime.

### 6. Policy

#### Access into the Secure Area

No person, other than those authorised to do so, may enter **the secure area**.

Every person must have a genuine business purpose to access **the secure area**. Once within **the secure area**, you must not enter into a work area, restricted area, office or building unless you have a genuine business purpose to be there.

Those who are authorised to enter **the secure area** are either:

- a POAL access card holder,
- vessel crew or passengers,
- a Fergusson container terminal transport driver registered in the POAL booking system, or
- an authorised visitor.

All visitors must be authorised by a POAL employee, POAL tenant, or the vessel agent or captain. Visitors must always follow **POAL's Visitor's Procedures** and be hosted by a POAL access card holder. The host is responsible for the visitor during their time in **the secure area**.

Every person must have either a POAL access card or an **appropriate photo identification** (as set out below) to gain entry onto **the secure area**, and where authorised, access to a vessel to carry out work and deliver supplies, stores or equipment.

## Appropriate Photo Identification

All persons must be identified before entry into **the secure area**. Original tamper-resistant photo identification must be presented and include the holder's name, photograph and name of issuing authority. The following credentials are acceptable for the purpose of establishing identity:

- a military identification card
- an identification card issued by a New Zealand government department, government agency, or the New Zealand Defence Force
- a driver's licence issued by the New Zealand Transport Agency
- a seafarer's identity document issued by a contracting government or flag state administration
- a valid passport
- an identification credential issued by a port facility operator
- an identification credential issued by a recognised company, union, or trade association
- other forms of identification approved by the chief executive of Maritime New Zealand.

The photo identification must always be kept on your person while within the secure area and be made available for inspection on demand by POAL Security or other POAL representative, or any enforcement agency officer pursuant to legislation.

## Recording and Accounting for Goods

You must not exit **the secure area** with goods, (including an imported empty container, dunnage, rubbish, waste and ships gear) or release goods unless the NZ Customs, MPI Biosecurity and shipping line clearances have been received.

## Tampering Uncleared Goods

You must not tamper with or access goods (including an imported empty container, dunnage, rubbish and waste) unless the NZ Customs and MPI Biosecurity clearances have been received. The only exception to this rule is where you have received authorisation by a POAL shift-operations manager to manage a cargo spill or leakage. Refer to the POAL Leaking Cargo Process for more details.

## Accessing Information

You must not use cameras or computer systems to access, circulate or relay information about uncleared or cleared goods, or cargo movements unless doing so while carrying out legitimate activities required for your role.

## Quarantine Clearance (Pratique)

No crew or passengers or goods may leave a vessel until it has received quarantine clearance (pratique).

## Related Documents

POAL Place of First Arrival Operating Manual, including POAL's BCA Operating Manual for the management of Biosecurity Control Areas related to Cruise Operations at the Port

Multi-Cargo General Wharves Transition Facilities Operating Manual ATF # 10438

Fergusson Container Terminal Transition Facilities Operating Manual ATF # 18319

NZ Customs Service Procedure Statement

Auckland Maritime Public Health Emergency Framework

POAL Security Plan

POAL Visitor Procedure

POAL Leaking Cargo Process

POAL Environmental Policy

POAL Acceptable Use Policy

## Consequence for Breach of this Policy

For POAL employees, breach of this policy may be considered misconduct or serious misconduct and may result in disciplinary action up to and including dismissal.

For contractors, breach of this policy may be considered a material breach of your contract and may result in the immediate termination of your contract without notice and/or a trespass order.

For external port users, breach of this policy may result in suspension from the port for a set period and/or indefinitely and/or a trespass order.

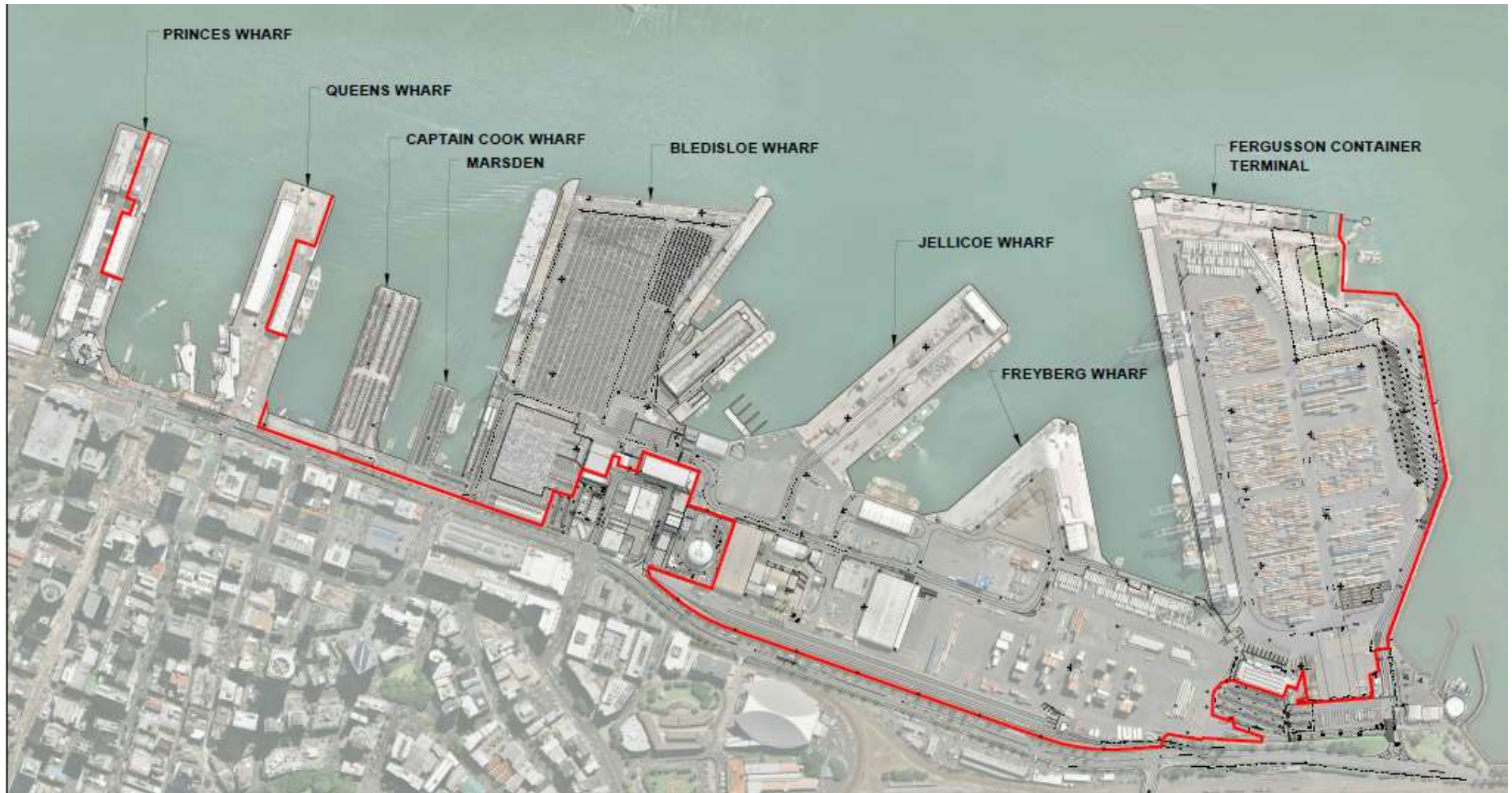
**Approved by the Chief Executive Officer**

**Approval date: 14 January 2020**

**Policy owner: General Manager Infrastructure**

**Review date: Biennially**

## Appendix A: The Secure Area



The Ports of Auckland Security Manager has the authority to amend the boundary of the secure area without notice for events and construction works.