



CONFERENCE OF ASIA PACIFIC EXPRESS CARRIERS

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# **Supporting submission to competitive neutrality complaint**

Made by CAPEC

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## Contents

	Page	
1	Executive Summary	1
1.1	Introduction	1
1.2	Summary of complaint	1
1.3	Australia Post competes with CAPEC Members in the parcel delivery industry	3
1.4	Purpose of submission to the AGCNCO	4
1.5	CAPEC encourages fair competition with Australia Post	4
2	Competition between CAPEC Members and Australia Post	4
2.1	Commercial parcel delivery	4
2.2	Australia Post's transition from letter to parcel delivery	5
2.3	Australia Post's activities in parcel delivery directly compete with CAPEC Members	6
3	Relevant parties	7
3.1	CAPEC	7
3.2	Australia Post	8
4	Importation Complaint	9
4.1	The parcel delivery process	9
4.2	Australia Post's use of the Postal Letter Stream to negate import reporting obligations	11
4.3	Inspection of imported goods	17
5	Regulatory and Government Support Complaint	17
5.1	Support from the Australian Government	17
5.2	Australia Post's apparent exemption from the Transport Industry – General Carriers Contract Determination 2017 (Determination)	19
5.3	Preferential use of public roads and access to other public assets that are not otherwise available to CAPEC Members	21
6	Conclusion	22
	Annexure 1 – Competitive Neutrality Reporting Matrix prepared by CAPEC	23
	Annexure 2 – CN 22 Form	25

Annexure 3 – CN 23 Form	26
Annexure 4 – Short Form SAC	28
Annexure 5 – Air Cargo Report Form	31
Annexure 6 – Air Cargo Report Self-Assessed Clearance Form	34
Annexure 7 – Air Cargo Report Self-Assessed Clearance Form – Integrated Cargo System Example	37
Annexure 8 – N10 Import Declaration	38
Annexure 9 – N10 Import Declaration (Post)	41

# CAPEC competitive neutrality complaint

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## 1 Executive Summary

### 1.1 Introduction

This complaint is brought by the Conference of Asia Pacific Express Carriers (Australia) Limited (**CAPEC**), an industry association representing the interests of DHL, FedEx and UPS (together, **CAPEC Members**). Each CAPEC Member provides integrated express delivery services for documents, parcels and other items both domestically and internationally.

CAPEC Members face significant competition in the delivery of parcels, in particular of e-commerce parcels and goods bought via online shopping platforms from both the Australian Postal Corporation (**Australia Post**) and StarTrack Express Pty Limited (**StarTrack**).

### 1.2 Summary of complaint

CAPEC Members embrace efficient competition in markets for the delivery of e-commerce parcel and goods bought online. However, differences in existing regulations and other forms of government support mean that CAPEC Members do not compete on a level playing field with Australia Post for the importation and delivery of parcels in Australia. Consistent with prior recommendations of the (as it was then) Commonwealth Competitive Neutrality Complaints Office (**CCNCO**) in relation to Australia Post, the regulatory advantages that Australia Post enjoys are inconsistent with the principles of competitive neutrality.<sup>1</sup>

The following regulatory conditions mean that Australia Post gains an unfair competitive advantage over CAPEC Members in parcel delivery:

- (a) Asymmetries in reporting and compliance obligations between CAPEC Members and Australia Post, including for;
  - (i) the importation of goods into Australia;
    - (A) such as Australia Post's use of the Postal Letter Stream to limit import reporting obligations. The Postal Letter Stream relates to Australia Post's treatment of small parcels or packets weighing less than 2 kgs and a combined length, width and depth under 900mm as mail items, thereby avoiding the regulatory or compliance requirements that would otherwise apply (set out in further detail at 4(iii)); and
    - (B) there are differing import declarations that apply to Australia Post and CAPEC Members and the mode by which import declarations are made.

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<sup>1</sup> Commonwealth Competitive Neutrality Complaints Office 2000, Customs Treatment of Australia Post, Investigation No. 5, AusInfo, Canberra: <https://www.pc.gov.au/competitive-neutrality/investigations/customs-australia-post>

## CAPEC competitive neutrality complaint

- (ii) the inspection of imported goods into Australia by customs officials and related inspection processes;

together, the **Importation Complaint**.

- (b) Australia Post leveraging regulatory exemptions and publicly funded infrastructure networks to deliver and distribute parcels, including:
  - (i) support from the Australian Government, such as:
    - (A) COVID-19 relief under the *Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020*;
    - (B) access to borrowings at concessional interest rates;
  - (ii) apparent exemption from compliance with the applicable industry award in NSW; and
  - (iii) preferential use of public roads and a publicly funded delivery network that is not otherwise available to CAPEC Members

together, the **Regulatory and Government Support Complaint**.

CAPEC Members recognise that Australia Post is differentially regulated as a Government Business Enterprise (**GBE**) holding the exclusive right to supply the carriage of letters in Australia.<sup>2</sup> However, Australia Post should not leverage its unique regulatory framework to gain advantages for its purely commercial operations in competitive markets for the delivery of parcels. As set out in the Commonwealth Government's "Intergovernmental Agreement on Competition and Productivity-Enhancing Reforms":

*Government business activities that compete with private providers, whether for-profit or not-for-profit, should comply with competitive neutrality principles to ensure they do not enjoy a net competitive advantage simply as a result of government ownership.*<sup>3</sup>

CAPEC Members have limited visibility of the extent to which Australia Post's operations are regulated and monitored in respect of its commercial parcel delivery operations. This complaint is the only means by which CAPEC Members can seek comfort that the regulatory framework for Australia Post's services is appropriate and that Australia Post is compliant with its competitive neutrality obligations.

CAPEC believes that Australia Post enjoys the cumulative effect of long-standing competitive advantages and a lack of regulatory burdens that are contrary to the competitive neutrality principle as contained in the Commonwealth's *Competitive*

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<sup>2</sup> *Australian Postal Corporation Act 1989* (Cth) ss 29 and 30.

<sup>3</sup> Intergovernmental Agreement on Competition and Productivity-Enhancing Reforms, 9 December 2016: <https://www.treasury.nsw.gov.au/sites/default/files/2017-03/IGA-productivity-reforms.pdf>

## CAPEC competitive neutrality complaint

*Neutrality Policy Statement.*<sup>4</sup> CAPEC therefore requests that the AGCNCO conduct an investigation into Australia Post to ensure that these principles are strictly followed.

In addition to the Importation Complaint and Regulatory and Government Support Complaint, CAPEC is also concerned about the manner in which Australia Post may be complying with its export reporting obligations. All goods exported from Australia must be reported to the Australian Border Force (ABF) where certain conditions are met.<sup>5</sup> CAPEC members are required to comply with similar cargo reporting requirements, which include the submission of an Export Declaration for consignments valued at over \$2,000 or requiring an Export Permit.

However, Australia Post is exempt from requiring an Export Declaration for mail.<sup>6</sup> Given the ambiguity that applies to the definition of mail (discussed elsewhere in this submission), whereby small parcels or packets weighing less than 2 kgs and a combined length, width and depth under 900mm may be considered “mail” items, there is a significant likelihood that Australia Post enjoys a material advantage by having less reporting data to process and a lower regulatory burden.

We have not set out any further detail relating to this export declaration complaint in this submission. We understand that the asymmetry which exists between CAPEC Members and Australia Post regarding the import and inspection of goods in Australia equally applies to the export of goods. For the reasons set out above in relation to the Importation Complaint and Regulatory and Government Support Complaint, we encourage the AGCNCO to further consider the appropriateness of Australia Post’s exemption from application of relevant export regulations in those circumstances where it is exporting small packages and competing directly with CAPEC Members in a commercial setting.

### 1.3 Australia Post competes with CAPEC Members in the parcel delivery industry

CAPEC Members and Australia Post compete closely and to an ever-increasing degree in relation to the supply of services for the importing and delivery of parcels. This competitive tension has been acknowledged by key industry participants. In July 2020, former Australia Post Group CEO and Managing Director, Ms Christine Holgate, told the Environment and Communications Legislation Committee’s inquiry into the future of Australia Post’s service delivery that “*the parcels business is a highly competitive market*.”<sup>7</sup> A 2021 IBIS World report on Courier Pick-up and Delivery Services notes that “*Australia Post is anticipated to remain a key external threat to the industry*”.<sup>8</sup>

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<sup>4</sup> Commonwealth Competitive Neutrality Policy Statement, June 1996: <https://treasury.gov.au/sites/default/files/2019-03/cnps.pdf>

<sup>5</sup> Australian Border Force, ‘Export requirements’: <https://www.abf.gov.au/importing-exporting-and-manufacturing/exporting/how-to-export/export-requirements>

<sup>6</sup> Australian Border Force, ‘Export requirements’: <https://www.abf.gov.au/importing-exporting-and-manufacturing/exporting/how-to-export/export-requirements>

<sup>7</sup> Environment and Communications Legislation Committee, Committee Hansard, 8 July 2020, pg 15; Senate Standing Committees on Environment and Communications, ‘The future of Australia Post’s service delivery’, August 2020: [https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/024512/toc\\_pdf/ThefutureofAustraliaPost%e2%80%99sservedelivery.pdf;fileType=application%2Fpdf](https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/024512/toc_pdf/ThefutureofAustraliaPost%e2%80%99sservedelivery.pdf;fileType=application%2Fpdf)

<sup>8</sup> IBISWorld Report, *Courier Pick-up and Delivery Services in Australia*, June 2021, pg 7.

## CAPEC competitive neutrality complaint

The market segment for the import of parcels under 2 kg is of significant commercial importance to CAPEC Members. In 2021, a combined total of approximately 19 million import parcels under 2 kg were shipped by CAPEC Members (including letters). This figure shows the substantial extent of competition between CAPEC members and Australia Post in this market segment given the sizeable volume of shipments and demonstrates that this supply involves a substantial business stream to CAPEC Members' operations. As such, it is essential to CAPEC Members that there is an even playing field to compete with Australia Post in relation to the importation of parcels under 2 kg.

### 1.4 Purpose of submission to the AGCNCO

This submission articulates CAPEC Members' concerns about the competitive advantages Australia Post enjoys in the importation and delivery of parcels as a result of its government ownership. As an industry body representing Australia Post's primary competitors, CAPEC has limited access to information to assess the extent to which Australia Post has advantages arising from its government ownership. To the extent possible and using all available information, this submission details the reasons why CAPEC believes Australia Post's activities are not in line with the principles of competitive neutrality in a way which warrants investigation by the AGCNCO.

To assist the AGCNCO in its assessment of Australia Post's compliance with these principles and further to this submission, **Annexure 1** contains a summary report of Australia Post's competitive neutrality compliance for the period 2011 to 2018.<sup>9</sup> Given the limited information available publicly, we request that the AGCNCO further review Australia Post's operations and activities in this respect.

### 1.5 CAPEC encourages fair competition with Australia Post

CAPEC embraces an open market in which its Members compete with Australia Post. However, that competition must take place on a level playing field and be driven by strategic investment, innovation, high quality service and competitive pricing. CAPEC is concerned that competition in this market for parcel delivery is being distorted due to the advantages afforded to Australia Post by its position as the GBE monopoly supplier for the carriage of letters and parcels under the Postal Letter Stream. Such distortion is contrary to competitive neutrality principles and warrants investigation and recommendations from the Productivity Commission.

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## 2 Competition between CAPEC Members and Australia Post

### 2.1 Commercial parcel delivery

The commercial parcel delivery industry concerns the pick-up, transport and delivery of parcels between businesses and consumers across multiple levels (including, for

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<sup>9</sup> Council on Federal Financial Relations, Performance Reporting:  
[https://federalfinancialrelations.gov.au/content/performance\\_reporting.aspx](https://federalfinancialrelations.gov.au/content/performance_reporting.aspx)

## CAPEC competitive neutrality complaint

example, business to business, or consumer to consumer parcel delivery). Each of FedEx, UPS, DHL and Australia Post are competitors within this industry. CAPEC Members have a long history of participation in the parcel delivery industry in Australia, with DHL entering in 1972, FedEx in 1989 and UPS in 1990.

### 2.2 Australia Post's transition from letter to parcel delivery

Over the past 10-15 years there has been a significant change in postal markets as volumes of letters have fallen while volumes of parcels have significantly grown, in line with growth in e-commerce.<sup>10</sup> In 2020, revenue in the domestic and international letters business was down year on year 9.9%, with domestic letter volumes also decreasing year on year by 14.5%.<sup>11</sup> However, Australia Post notes that due to the COVID-19 pandemic, it had also "*cemented our [Australia Post's] role as the nation's most-chosen provider of business to consumer delivery services*" with domestic parcel revenue growing by 17.8% year on year.<sup>12</sup> As of June 2021, parcel delivery services accounted for 50.9% of Australia Post's revenue, whilst reserved mail services stood at 26.2%.<sup>13</sup>

This shift to the delivery of parcels has had a material effect on Australia Post's business given the drop in profitability from the delivery of letters.

Australia Post has acknowledged that there is a "longer-term trend" of decline in letter volumes but that a significant growth in e-commerce has resulted in "unprecedented increases in parcel volumes".<sup>14</sup> This trend continues to accelerate, with Australia Post indicating that it experienced an 80% growth in e-commerce during the first eight weeks of the COVID-19 pandemic.<sup>15</sup>

The table below extracted from the Senate Standing Committees on Environment and Communications into "The future of Australia Post's service delivery"<sup>16</sup> further highlights the rapid decline in Australia Post's letter services and increase in parcel deliveries during the pandemic. Although not included below, Australia Post notes in its 2020 Annual Report that international parcel revenue also increased 6.2% year on year.<sup>17</sup>

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<sup>10</sup> IBISWorld Report, *Postal Services in Australia*, June 2021, pg 16-17.

<sup>11</sup> Australia Post 2020 Annual Report, pg 4.

<sup>12</sup> Australia Post 2020 Annual Report, pg 4.

<sup>13</sup> IBISWorld Report, *Postal Services in Australia*, June 2021, pg 21.

<sup>14</sup> Australia Post 2020 Annual Report, pg 54.

<sup>15</sup> Australia Post 2020 Annual Report, pg 1.

<sup>16</sup> Environment and Communications Legislation Committee, Committee Hansard, 8 July 2020, pg 12; Senate Standing Committees on Environment and Communications, 'The future of Australia Post's service delivery', August 2020, pg 12.

<sup>17</sup> Australia Post 2020 Annual Report, pg 6.



## CAPEC competitive neutrality complaint

Product	Monthly Year on Year % change in Product volumes		
	March	April	May
Domestic Letters <sup>1</sup>	-11%	-28%	-36% <sup>2</sup>
International Letters	-32%	-52%	-53%
Domestic Parcels	18%	64%	49%

Source: Australia Post

<sup>1</sup> Represents Addressed and Unaddressed letter volumes

<sup>2</sup> When adjusted for the 2019 Federal Election, Domestic Letter volume decline year on year for May is 28%.

Australia Post made a significant movement into parcel delivery with the formation of the StarTrack joint venture with QANTAS in 2003. StarTrack is a transport and logistics company specialising in parcel delivery. Australia Post acquired QANTAS' share of StarTrack in 2012.

Australia Post has continued to mobilise resources away from letters to its parcel delivery services in order to address increased demand. Australia Post has invested heavily in infrastructure to make inroads into the growing parcel delivery market,<sup>18</sup> including opening its new Brisbane Parcel Facility, the largest mail facility in the Southern Hemisphere.<sup>19</sup> In its 2020 Annual Report, the former Australia Post Group CEO and Managing Director stated that:<sup>20</sup>

*The onset of COVID-19, which while accelerating the growth in our parcels business, spurred the deceleration in our letters business ...*

*Our domestic parcel business once again cemented Australia Post's position as market leader ... this business once again contributed to **more than half** of our Group revenues. (emphasis added)*

### 2.3 Australia Post's activities in parcel delivery directly compete with CAPEC Members

As Australia Post has moved into parcel delivery, it has competed directly with commercial parcel operators including CAPEC Members.

There is a longstanding recognition that Australia Post's competitive activity has the potential to raise competitive neutrality concerns. In 2000, CAPEC lodged a competitive neutrality complaint with the CCNCO in relation to Australia Post's activities in the carriage of parcels and documents into and out of Australia.<sup>21</sup> In response to that complaint, the CCNCO found (among other things) that differences in import and export thresholds between Australia Post and commercial carriers resulted in significant cost disadvantages for commercial carriers. The CCNCO concluded that "*the case for*

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<sup>18</sup> IBISWorld Report, *Postal Services in Australia*, June 2021, pg 9.

<sup>19</sup> IBISWorld Report, *Australian Postal Corporation*, 30 June 2020, pg 3.

<sup>20</sup> Australia Post 2020 Annual Report, pg 6.

<sup>21</sup> Commonwealth Competitive Neutrality Complaints Office 2000, *Customs Treatment of Australia Post*, Investigation No. 5, AusInfo, Canberra: <https://www.pc.gov.au/competitive-neutrality/investigations/customs-australia-post>

## CAPEC competitive neutrality complaint

*aligning the thresholds for postal and non-postal items is compelling” and made a formal recommendation that they be aligned.<sup>22</sup>*

Australia Post has publicly referred to the competitive advantages it has in the parcel delivery market. It has publicly stated that:<sup>23</sup>

- its combination of Australia Post and StarTrack creates “*a competitive advantage no one can match*”;
- it has an “*unrivalled network*”;
- it has the best air freight network in the country; and
- it uses its “*unrivalled network to deliver customer solutions*”, specifically that Australia Post and StarTrack have collectively “*one of the most robust and flexible logistics and delivery networks in Australia. This provides us with extensive opportunities to leverage our network*”.

Australia Post’s position as the government-owned monopoly supplier of the carriage of letters and the infrastructure and resources that Australia Post has built over decades in providing this service also means that it has the ability to engage in conduct that no commercial parcel delivery operator can, which has the potential to distort competition in that market. For example, the 2021 IBISWorld report on courier pick-up and delivery services in Australia stated that:<sup>24</sup>

*Australia Post dominates the Postal Services industry, which allows it to significantly invest in letter and parcel delivery operations ...*

*Competition from Australia Post is anticipated to intensify over the next five years. Since the markets for courier services and postal services overlap significantly, any changes to the regulation of Australia Post, specifically international postage prices or Australia Post's domestic monopoly services, would also affect [couriers].*

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## 3 Relevant parties

### 3.1 CAPEC

CAPEC was established in 2000 as a non-profit organisation representing the interests of the world’s leading air express delivery service companies and was incorporated in 2002. Through its Executive Committee, CAPEC works with government and regulatory authorities in Australia and New Zealand to further the interests of its members and the broader express carrier service industry.

CAPEC’s members are DHL, FedEx and UPS.

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<sup>22</sup> CAPEC Members understand that the government agreed with this recommendation and aligned the relevant thresholds.

<sup>23</sup> Australia Post Annual Report 2016, pp 26-27.

<sup>24</sup> IBISWorld Report, *Courier Pick-up and Delivery Services in Australia*, June 2021, pg 15.

## CAPEC competitive neutrality complaint

### *DHL*

DHL Express (Australia) Pty Ltd (**DHL**) is the Australian arm of the international courier, parcel and express mail services company operating in around 220 countries and territories.<sup>25</sup> DHL's services operate across four primary business units: DHL Express, DHL eCommerce, DHL Global Forwarding and DHL Supply Chain. DHL eCommerce provides standard domestic and international parcel pick-up, delivery and return solutions for business customers as well as e-commerce logistics and facilitation services. DHL Express provides express parcel and package services, along with shipping and tracking services.

### *FedEx*

FedEx Express Australia Pty Ltd (**FedEx**) is the Australian subsidiary of the international express shipping and transport company, Federal Express Corporation (**FedEx Express**), operating in around 220 countries and territories. It provides customers with a range of transportation, e-commerce and business services.<sup>26</sup>

Further, the global TNT Express business was acquired by FedEx Corporation in May 2016 and now operates under the FedEx Express' business unit.

### *UPS*

UPS Pty Ltd (**UPS**) operates in more than 220 countries and territories<sup>27</sup> and provides delivery, specialised transportation, logistics, capital and e-commerce solutions.

Each CAPEC member provides international courier pick-up and delivery services, which involves the collection of packages from vendors' premises outside of Australia and the delivery of the packages directly to the premises of Australian customers.

## 3.2 Australia Post

The Australian Postal Corporation (**Australia Post**) has been Australia's postal services provider since the first *Postal Act* of 1825. Australia Post is the Commonwealth-owned provider of postal services in Australia, established and regulated under the *Australian Postal Corporations Act 1989* (Cth) (**APC Act**).

The APC Act requires Australia Post to supply a letter delivery service, the principal purpose of which is to (by physical means) carry letters within Australia. Australia Post has the exclusive right to carry letters originating from Australia to other countries and to deliver letters originating outside of Australia to recipients within Australia.<sup>28</sup> This is referred to as a "reserved service".<sup>29</sup>

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<sup>25</sup> DHL is a division of German post and logistics company Deutsche Post DHL.

<sup>26</sup> FedEx, *About FedEx*: <http://www.fedex.com/in/about/>

<sup>27</sup> UPS, *UPS Facts – Worldwide*: <https://www.ups.com/content/au/en/about/facts/worldwide.html>; UPS, *UPS Australia Factsheet*: [https://about.ups.com/content/dam/upsstories/assets/fact-sheets/Australia\\_Facts.pdf](https://about.ups.com/content/dam/upsstories/assets/fact-sheets/Australia_Facts.pdf)

<sup>28</sup> *Australian Postal Corporation Act 1989* (Cth) ss 25 to 28.

<sup>29</sup> *Australian Postal Corporation Act 1989* (Cth), s 29.

## CAPEC competitive neutrality complaint

The APC Act provides for a number of exceptions to exclusivity afforded to Australia Post in relation to reserved services,<sup>30</sup> including:

- letters weighing more than 250g (unless the letter consists of, for example, a parcel containing two or more separate letters);
- the carriage of letters relating to goods that are sent and delivered with the goods; and
- the carriage of a letter within Australia for a charge at least four times the then rate of postage for a standard postal article by ordinary post.

Australia Post is also Australia's "designated operator" in the Universal Postal Union (UPU). The UPU is an international body that, among other things, sets the size for standard items of post, the standards for addressing postal items as well as the customs declarations carried on international postal items.<sup>31</sup> Australia has been a member of the UPU since 1907.

### *StarTrack*

StarTrack is a national transport and logistics company that services both business and consumer markets with parcel, freight, express, courier and supply chain solutions.<sup>32</sup> In 2003, Australia Post and QANTAS formed a 50/50 joint venture to purchase and operate the then StarTrack business. In 2012, Australia Post acquired QANTAS' 50% share in the business and subsequently changed the StarTrack logo to include the Australia Post logo. Together, Australia Post and StarTrack have combined the premium service standards of StarTrack with the network and convenience offered by Australia Post.<sup>33</sup>

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## 4 Importation Complaint

### 4.1 The parcel delivery process

In order to appropriately contextualise this submission and the Importation Complaint, it is important to understand how the importation and delivery process for parcels works in Australia and, in particular, the reporting obligations that express courier companies, such as the CAPEC Members, are subject to.

#### (i) Customer purchases

The parcel importation process is initiated by customers purchasing a product from an overseas vendor or looking to deliver a parcel from overseas into Australia. Customers can sometimes choose which delivery option they prefer, such as express courier (e.g. CAPEC Members) or postal delivery (which may include general or express delivery options).

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<sup>30</sup> *Australian Postal Corporation Act 1989* (Cth), s 30.

<sup>31</sup> IbisWorld Report, *Postal Services in Australia* pg 26.

<sup>32</sup> IbisWorld Report, *Postal Services in Australia*, pg 35.

<sup>33</sup> IbisWorld Report, *Postal Services in Australia*, pg 35.

## CAPEC competitive neutrality complaint

Alternatively, vendors can also decide how their particular products will be imported into Australia.

(ii) Local distribution of parcel

Once the delivery mechanism has been determined, parcels leave the premises of an overseas vendor for transport to Australia. This can occur by way of:

- the pick-up of the parcel from the vendor/sender's premises, which is undertaken by CAPEC Members and also by StarTrack Express International; or
- the parcel is posted at a local post office where it is then delivered to the nearest depot for import into Australia.

Unlike Australia Post, CAPEC Members are required to deliver each package to a specific residential or commercial address. This issue is detailed further at 5(b).

(iii) Parcel delivery and the Postal Letter Stream

Australia Post's Postal Letter Stream is a designated network providing specific infrastructure and other services for the import and distribution of letters (hereafter, **Postal Letter Stream**). Relevantly, the rules set out under the Universal Postal Convention (Decisions of the 2016 Istanbul Congress)<sup>34</sup> and Convention Manual<sup>35</sup> (together, **the rules**), requires that Australia Post ensure letter post items (including small letters, large letters, bulky letters or small packets);

- weighing 2 kg or less;<sup>36</sup> and
- measuring a maximum dimension of 600mm in length or having a combined length, width and depth of 900mm.<sup>37</sup>

are accepted, handled, conveyed and delivered. For Australia Post, any small packet must be accompanied by either a CN 22 or CN 23 import declaration form.

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<sup>34</sup> International Bureau of the Universal Postal Union, *Decisions of the 2016 Istanbul Congress; Universal Postal Convention*, Berne, 2017:

<https://www.upu.int/UPU/media/upu/files/UPU/aboutUpu/acts/actsOfPreviousCongress/acts2016DecisionsIstanbulEn.pdf>

<sup>35</sup> International Bureau of the Universal Postal Union, *Convention Manual*, Berne, 2017:

<https://www.upu.int/UPU/media/upu/files/aboutUpu/acts/manualsInThreeVolumes/actInThreeVolumesManualOfConventionEn.pdf>

<sup>36</sup> International Bureau of the Universal Postal Union, *Decisions of the 2016 Istanbul Congress; Universal Postal Convention*, Berne, 2017, Section IV, Article 17, Clause 3.1 (pg 150):

<https://www.upu.int/UPU/media/upu/files/UPU/aboutUpu/acts/actsOfPreviousCongress/acts2016DecisionsIstanbulEn.pdf>

<sup>37</sup> International Bureau of the Universal Postal Union, *Convention Manual*, Berne, 2017, Article 17-104, Clause 1.1 (pg 139):

<https://www.upu.int/UPU/media/upu/files/aboutUpu/acts/manualsInThreeVolumes/actInThreeVolumesManualOfConventionEn.pdf>

## CAPEC competitive neutrality complaint

For the purposes of the Importation Complaint, all references to parcels includes small packets.

### 4.2 Australia Post's use of the Postal Letter Stream to negate import reporting obligations

#### (a) Import Declarations using the Postal Letter Stream

All cargo arriving into Australia (by ship or aircraft) from a place outside of Australia must be dealt with in accordance with the requirements in the *Customs Act 1901* (Cth) (**Customs Act**) and the *Customs Regulations 2015* (**Customs Regulations**). These require that for imported cargo to be cleared, specified information must be submitted to the ABF by responsible parties in the form of reports and declarations relating to the cargo. The combination of cargo reports and import declarations enables the ABF to determine the relevant duty, taxes and other charges that may be payable and assists in identifying whether the goods are subject to other controls.<sup>38</sup> All cargo, including mail, on board an aircraft or ship arriving in Australia from overseas, comes under customs control and remains subject to that control from the time of discharge from the ship or aircraft up to the time of customs release.

To successfully deliver parcels, import declarations must be completed that set out the relevant details of those items which are being brought into Australia. These import declarations differ based on the value of the goods being imported and the size and weight of the goods.

Notably, the UPU requires that designated operators, such as Australia Post, use CN 22 and CN 23<sup>39</sup> as a customs declaration for small packets (with CN 22 forms used for goods valued below 300 Special Drawing Rights (**SDR**) (equating to \$585 as of 7 January 2022),<sup>40</sup> and CN 23 forms used for goods valued over 300 SDR).<sup>41</sup> The rules make it clear that Australia Post must process small packets as described at section 4(i). Importantly, this suggests that for all items under 2 kg and meeting the required dimensions, Australia Post may be able to process and clear such items in the same way it would do so for letters.

CAPEC submits this has the practical operation of allowing Australia Post to process and clear such items as part of the import component of the Postal Letter Stream, whilst identical items imported by CAPEC Members would be subject to more onerous processing and clearing requirements. As shown, there is a clear divide in how data is reported and processed between Australia Post and CAPEC Members.

#### (b) Import Declarations under 300 SDR

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<sup>38</sup> For example, goods prohibited under the *Customs (Prohibited Import) Regulations 1958*.

<sup>39</sup> The Convention Manual identifies CN 22 and CN 23 forms as Letter-post forms. See <https://www.upu.int/UPU/media/upu/files/aboutUpu/acts/manualsInThreeVolumes/actInThreeVolumesManualOfConventionEn.pdf> (pg XXXIX). See also Instructions to CN 22 Form at Annexure 2.

<sup>40</sup> XE used to convert SDR to AUD: <https://www.xe.com/currencyconverter/convert/?Amount=300&From=XDR&To=AUD>

<sup>41</sup> Universal Postal Union, *Convention Manual*, Berne, 2017, Article 20-001, Clause 2.8 (pg 82): <https://www.upu.int/UPU/media/upu/files/aboutUpu/acts/manualsInThreeVolumes/actInThreeVolumesManualOfConventionEn.pdf>

## CAPEC competitive neutrality complaint

### (i) CN 22 Declaration

A CN 22 declaration to the ABF is for the exclusive use of Australia Post and is used for all parcels or small packets<sup>42</sup> under 300 SDR. This allows Australia Post to essentially process parcels weighing less than 2 kg and having a combined length, width and depth of 900mm using the CN 22 form.

A CN 22 form requires only the following information to be supplied to the ABF by Australia Post:

- a box is to be ticked described as either gift, document, merchandise, plant, animal or food products, commercial sample or other;
- description of the contents;
- the weight of the item;
- the value of the item;
- the date and signature of the sender; and
- for commercial items, the HS tariff number and country of origin.

An example of a CN 22 is attached as **Annexure 2**.

### (ii) SAC declarations

For commercial operators other than Australia Post, such as CAPEC Members, imported goods that arrive in Australia by air or sea cargo must be declared to the ABF by way of a SAC declaration. There are various SAC declarations which apply depending on the context in which goods are being imported. These have been set out below:<sup>43</sup>

- Cargo Report SAC Declaration: which applies for goods that are valued below \$1,000, are not identified under the SAC Thesaurus<sup>44</sup> and are not being referred to the Department of Agriculture, Water and the Environment.
- Short format SAC Declaration: which applies to goods that are valued below \$1,000 and can be made by anyone who has a digital certificate and is registered in the Integrated Cargo System (**ICS**) (which includes CAPEC Members).
- Long format SAC declaration: import processing charges are not applied to long format SAC Declarations and can only be submitted by

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<sup>42</sup> Universal Postal Union, *Convention Manual*, Berne, 2017, Article 20-001, Clause 2.8 (pg 82): <https://www.upu.int/UPU/media/upu/files/aboutUpu/acts/manualsInThreeVolumes/actInThreeVolumesManualOfConventionEn.pdf>

<sup>43</sup> Australian Border Force, 'How To Import': <https://www.abf.gov.au/importing-exporting-and-manufacturing/importing/how-to-import/import-declaration#cargo>

<sup>44</sup> Australian Border Force, Self-Assessed Clearance, Declaration Thesaurus (Version 1, 25 July 2005): <https://www.abf.gov.au/imports/files/fact-sheets/self-assessed-clearance-declaration-thesaurus.pdf>

## CAPEC competitive neutrality complaint

the importer or a customs broker. The long format SAC Declarations are also required where a permit is required for the import of certain goods.

SACs are not required to be completed for goods with a value below \$1,000 that arrive by international mail (post)<sup>45</sup> (and as mentioned, Australia Post is able to utilise CN 22 and CN 23 forms depending on the value of the goods). Therefore, Australia Post is not required to complete a SAC Declaration for goods that are imported via post.

The majority of SAC Declarations are lodged with the ABF when a cargo reporter completes a cargo report for air cargo. Cargo reports must be made electronically to the ABF and within specified timeframes. This is done through the ICS, a system that integrates with the ABF software which calculates all liabilities and charges based on the information supplied by the relevant import documentation and cargo reporting.<sup>46</sup> When a report is entered into the ICS from a registered user, the system applies checks and balances to ensure that all mandatory information has been entered.

There is limited transparency over the information Australia Post is required to provide in its cargo reports. Specifically, it is unclear to CAPEC whether Australia Post completes their reporting requirements relating to their N10 Import Declarations and the extent to which compliance with these requirements is enforced. To ensure that both CAPEC and Australia Post are subject to comparable compliance burdens, the AGCNCO should assess Australia Post's compliance with these reporting obligations.

Under the current system, a cargo reporter (such as a CAPEC Member) provides the following information to the ABF when making a Short Form SAC Declaration via an air cargo report:

- the GST registration number of the business (either an ARN or ABN);
- the flight number of the aircraft the goods have come in on;
- the arrival date;
- country of origin (including port of loading);
- full (including first and last name) consignor and consignee details (i.e. name and street address- not PO Box);
- goods description (which requires more detail than either the CN 22 or CN 23);

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<sup>45</sup> Australian Border Force, 'How To Import': <https://www.abf.gov.au/imports/Pages/How-to-import/Import-declarations.aspx>

<sup>46</sup> Further information about the ICS can be found here: [https://www.abf.gov.au/help-and-support/ics/integrated-cargo-system-\(ics\)](https://www.abf.gov.au/help-and-support/ics/integrated-cargo-system-(ics))



## CAPEC competitive neutrality complaint

- declared value of goods;
- number of packages;
- the gross weight of the goods; and
- additional information as further set out in **Annexure 4**.

When a Short Form SAC Declaration is made in this way, the original supplier / owner of the goods does not have to do anything in the way of completing an import declaration. An example of a SAC Declaration is attached as **Annexure 4**.

### (c) Import Declarations over 300 SDR

#### (i) CN 23 Declaration

A CN 23 Declaration to the ABF is for the exclusive use of Australia Post and is used for all parcels or small packets over 300 SDR. CAPEC understands that Australia Post also uses this process to deliver small packets over 300 SDR through the Postal Letter Stream where the requisite dimensions are met.

A CN 23 Declaration requires the same information as a CN 22 as well as the following additional information:

- the details of the sender;
- the details of the receiver;
- any applicable details for licences, certificates or invoices; and
- comments (e.g. goods are subject to quarantine, sanitary phytosanitary inspection or other restrictions)

An example of a CN 23 is attached as **Annexure 3**.

#### (ii) N10 Import Declarations over \$1,000

For goods that are valued over \$1,000 there is a separate reporting regime that applies to the person who is responsible for importing the good. Where imported goods exceed the value of \$1,000, an N10 Import Declaration must be submitted to the ABF including information about:

- the goods being imported;
- details on the importer;
- how the goods are being transported; and
- the tariff classification and customs value.

## CAPEC competitive neutrality complaint

There are two N10 Import Declarations which are required to be completed:

- one for the import of goods arriving by air or sea (used by CAPEC Members); and
- another for those goods arriving by international mail (used by Australia Post).

The N10 Non-Post Import Declaration<sup>47</sup> (see **Annexure 8**) is used broadly, whilst the N10 Post Import Declaration<sup>48</sup> (see **Annexure 9**) for goods arriving via mail is for the exclusive use of Australia Post. These N10 forms are completed by the person responsible for importing the good, which is then processed by the ABF. Noticeably, the data requirements for the N10 Non-Post Import Declaration is significantly more than the N10 Post Import Declaration. For example, a number of the items on the N10 Post form such as country of origin, supplier identity reference only need to be provided “if known”, whereas equivalent fields on the N10 Non-Post Import Declaration are mandatory.

This means that for the relevant items valued over \$1,000 that are being imported, the ABF is able to process those items being distributed by Australia Post much faster than those items being distributed by CAPEC. This discrepancy in the two reporting regimes affects CAPEC Members’ ability to compete with Australia Post in the quality and timeliness of the service it provides.

As has been demonstrated above, regardless of the value of the item being imported, where the size of the parcel or small packet meets the required dimensions, it appears that these items imported by Australia Post are treated differently to those imported by CAPEC Members.

### (d) N10 Import Declaration Import Processing Charge

Currently, CAPEC Members incur Import Processing Charges (**IPC**) relating to the N10 Non-Post Import Declaration. The IPC combines fees charged by the ABF<sup>49</sup> and Department of Agriculture, Water and the Environment<sup>50</sup> based on the declared value of the import consignment. Consignments valued between \$1,000 - \$10,000 incur a combined charge of \$88, whilst consignments valued at equal to or over \$10,000 incur a charge of \$190 for electronic lodgements (documentary lodgements incur a marginally higher charge).

As the IPCs are attributed to N10 Non-Post Import Declarations, it is not clear whether they equally apply to N10 Post Import Declaration. Should IPCs not be applied to N10 Post Import Declarations, this may have the effect of excluding Australia Post from regulatory costs that CAPEC Members are subject to and the incentive for Australia Post

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<sup>47</sup> Import Declaration (N10): <https://www.abf.gov.au/form-listing/forms/b650.pdf>

<sup>48</sup> Import Declaration (N10) – Post: <https://www.abf.gov.au/form-listing/forms/b374.pdf>

<sup>49</sup> Department of Immigration and Border Protection Notice No. 2015/44: <https://www.abf.gov.au/help-and-support-subsite/CustomsNotices/2015-44.pdf>

<sup>50</sup> Australia Government, Department of Agriculture, Water and The Environment, Departmental Charging Guidelines – Biosecurity and Export Regulatory Functions, June 2021: <https://www.awe.gov.au/sites/default/files/documents/departamental-charging-guidelines-2021.pdf> (pg 19-20).

## CAPEC competitive neutrality complaint

to import goods as international mail items (where the definition of mail items is sufficiently ambiguous).

### (e) Air Cargo Reports

CAPEC Members understand that Australia Post must report on the particulars of any goods that arrive/are unloaded in Australia by ship or aircraft and for which Australia Post has arranged carriage.<sup>51</sup> However, for those goods which are imported via air, CAPEC Members do not know if Australia Post fulfils its reporting requirements by way of an Air Cargo Report (ACR) (Annexure 5) or if it is required to submit Air Cargo Report SACs (ACR SACs) (Annexure 6) which are more onerous. Because CAPEC Members are required to submit ACR SACs for goods unloaded/delivered, Australia Post would have a significant regulatory advantage if it fulfils its reporting obligations through ACRs alone.

### (f) Implications of disparities in reporting requirements

The customs clearance process applying to Australia Post differs markedly from that applying to CAPEC Members. As mentioned, Australia Post is able to send small packets meeting certain dimensions under the Postal Letter stream. It is also CAPEC's understanding that, while StarTrack is subject to the customs reporting requirements above (including SAC declarations for low-value threshold goods) as StarTrack is also a 'cargo reporter' under the *Customs Act*, Australia Post is using the Postal Letter Stream to clear small parcels through customs to avoid detailed reporting requirements. While some data is collected in relation to the goods transported using a CN 22 or CN 23 Declaration, it is far less detailed than the line by line data that CAPEC Members and other express couriers are required to provide to the ABF. In comparison, the SAC declaration which express courier companies are required to complete requires significantly more detailed reporting.

What this means in practice is that parcels transported through the Postal Letter Stream for the import of parcels compared with similar or identical parcels imported by Australia Post avoid the additional data reporting required and move straight to the less rigorous physical screening process. This results in an unfair administrative burden on the express delivery companies which Australia Post is not subject to despite being the largest player in the market.

Further, if the SAC Declaration is incomplete, or if the ABF system flags a parcel as being 'of concern' (for example, because of the sender location), a parcel will be held by Customs until such time as complete data is provided. This process holds up the ability for the parcel to be on-delivered to the customer in a timely fashion. Accordingly, the detail that CAPEC Members are required to provide burdens members on two levels:

- the initial compilation and transmission of the data; and
- the potential for further questions to be raised by customs, by virtue of them having access to that data.

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<sup>51</sup> *Customs Act 1901* (Cth), s 64AB.

## CAPEC competitive neutrality complaint

Where evidence of non-compliance with the legislation is identified, potential penalties and/or prosecution under s 64AB of the *Customs Act* may apply to the entity undertaking the cargo reporting. If a CAPEC Member provides incorrect or misleading information (for example because the vendor has not supplied it with the necessary data), it may be subject to an infringement notice, requiring the payment of an \$9,990 penalty for each airway bill and misleading notice. Australia Post is not subject to these same potential penalties in circumstances where it does not provide the same level of data to customs as is required of CAPEC Members.

### 4.3 Inspection of imported goods

On arrival in Australia, the item is physically screened (i.e. X-Ray, sniffer detection dogs and/or inspection by ABF Customs officials) and reconciled with the customs declaration provided (i.e. CN 22, CN 23 or SAC Declaration). For the purposes of undertaking goods inspections, CAPEC Members maintain ABF owned X-Ray machines to facilitate any targeted X-Ray screening of inbound cargo undertaken by the ABF. Over time, CAPEC Members have reduced the number of shipments processed through X-Ray machines as the ABF have adopted an intelligence-based risk assessment approach to goods inspection, rather than through X-Ray screening. CAPEC Members currently understand that approximately 10-15% of shipments are subject to X-Ray screening. There is therefore the potential at this second stage of the clearance process for a further hold up of the package.

CAPEC is seeking to understand the extent to which similar goods inspection processes apply to Australia Post and if not, whether Australia Post derives a competitive advantage from any discrepancies to these obligations.

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## 5 Regulatory and Government Support Complaint

### 5.1 Support from the Australian Government

- (a) COVID-19 relief under the *Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020*

In the wake of COVID-19, the *Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020*<sup>52</sup> was introduced as a temporary measure to relax the community service obligations imposed on Australia Post, such as the frequency, accuracy and speed of mail delivery, street posting boxes and retail outlets.

The explanatory note to the amending regulation sets out that the purpose of the amendment is to provide “*urgent and temporary relaxation of performance standards for the delivery of letters and retail operations to enable Australia Post to effectively manage any COVID-19 impacts on its operations, while also redeploying staff from its letters*”

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<sup>52</sup> *Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020* (Cth): <https://www.legislation.gov.au/Details/F2020L00579>

## CAPEC competitive neutrality complaint

*network to the parcels network in response to the growth in parcels and declines in letter volumes driven by COVID-19*.<sup>53</sup>

Although the relief measures related to Australia Post's letter delivery operations, they may have nevertheless supported Australia Post's parcel delivery functions. The Finance Minister at the time stated that *"under the adjustments, Australia Post will be able to redeploy its workforce to critical areas experiencing a surge in volume, such as parcels and essential services."*<sup>54</sup>

CAPEC understands that it is necessary for Australia Post to be provided with Government support to meet its community service obligations during the COVID-19 pandemic. However, for such support to be extended to the Australia Post's commercial operations exacerbates an unfair advantage in already difficult economic conditions.

The amending regulation ended on 31 June 2021.

### (b) Access to borrowings at concessional interest rates

CAPEC believes that Australia Post may be receiving preferential treatment from the Australian Government in relation to its borrowing costs. This assertion is based on Australia Post's A+ credit rating,<sup>55</sup> which is higher than that of each CAPEC Member, being BBB, A2 and BBB+ for each of FedEx,<sup>56</sup> UPS<sup>57</sup> and DHL<sup>58</sup> respectively (applying ratings from differing ratings agencies). Australia Post's higher credit rating means that it may be able to access a cheaper source of funding as compared to its peers as a result of its government ownership. Australia Post has confirmed that it does not currently offset its debt neutrality advantage through any debt neutrality charges for the period 2015-16 to 2017-18, as identified in Annexure 1.

Although Australia Post's borrowing costs have been cited as \$3.3 million,<sup>59</sup> there is limited transparency as to how Australia Post has determined these costs. Notably, in Australia Post's 2020 Annual Report, it states that:

*The financial assets and liabilities not measured at fair value in the consolidated balance sheet... are categorised as Level 2 with the fair value of each financial asset and liability determined by discounting the expected future cash flows using the applicable yield curve for assets and liabilities with similar risk and maturity profiles.*

Australia Post earlier described Level 2 as:

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<sup>53</sup> Explanatory Statement, Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020: <https://www.legislation.gov.au/Details/F2020L00579/Explanatory%20Statement/Text>

<sup>54</sup> Media Release by the Hon. Paul Fletcher, Minister for Communications Urban Infrastructure, Cities and the Arts, 'Supporting Australia Post throughout COVID-19': <https://minister.infrastructure.gov.au/fletcher/media-release/supporting-australia-post-throughout-covid-19>

<sup>55</sup> Australia Post 2020 Annual Report, pg 123.

<sup>56</sup> FedEx, Shareowner Services: <https://investors.fedex.com/shareowner-services/investor-faqs/default.aspx#:~:text=in%20Earnings%20Releases,-,What%20are%20FedEx%20Corporation's%20debt%20ratings%3F,Poors%20and%20Baa2%20by%20Moody's>

<sup>57</sup> Moody's Investors Service: [https://www.moodys.com/research/Moodys-affirms-ratings-of-UPS-senior-unsecured-at-A2-and-PR\\_444968](https://www.moodys.com/research/Moodys-affirms-ratings-of-UPS-senior-unsecured-at-A2-and-PR_444968)

<sup>58</sup> DHL, Creditor Relations: <https://www.dpdhl.com/en/investors/creditor-relations.html>

<sup>59</sup> Australia Post 2020 Annual Report, pg 114.

## CAPEC competitive neutrality complaint

*Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable.*<sup>60</sup>

Although a particular valuation technique for measuring fair value is included in the Annual Report, it does not give sufficient information for CAPEC Members to determine how actual borrow costs applying to Australia Post have been determined.

As a GBE, Australia Post naturally has sufficient and implied guarantees from the Australian Government that it is able to meet its liabilities that cannot be matched by CAPEC Members. Australia Post should not be able to leverage this position to achieve favourable borrowing costs that do not reflect its commercial realities. As set out in cl 3.(4)(b)(ii) of the *Competition Policy Agreements*,<sup>61</sup> where such favourable terms are achieved, the Australian Government should impose debt guarantee fees directed towards offsetting any competitive advantage. CAPEC Members understand through Australia Post's own competitive neutrality reporting that it has not offset its debt neutrality advantages for the period 2015-16 to 2017-18. As Australia Post's competitive neutrality reporting data has not been made publicly available from 2019-20 onwards, it is unclear if any such charges have since been made.

The lack of reported data and transparency in relation to Australia Post's debt neutrality compliance also means that CAPEC Members are not able to assess the extent to which Australia Post maintains an advantage. CAPEC Members urge the AGCNCO to review whether Australia Post is meeting its debt neutrality obligations.

### **5.2 Australia Post's apparent exemption from the Transport Industry – General Carriers Contract Determination 2017 (Determination)**

#### (a) Background

Private carriers for the provision of the transportation of goods are engaged throughout the parcel delivery industry by both Australia Post (including StarTrack) and CAPEC Members. The services of these private carriers are defined as a 'contract for carriage' under section 309(1) of the *Industrial Relations Act 1996* (NSW).

Under section 309(1), where the contract carrier is a body corporate, the term "contract of carriage" is defined to mean a contract for the transportation of goods by motor vehicle or bicycle, but only if no other person is employed by the carrier unless the other person is either:

- (i) a director of the body corporate or a member of the family of a director of the body corporate;
- (ii) a person who, together with the members of his or her family, has a controlling interest in the body corporate; or

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<sup>60</sup> Australia Post 2020 Annual Report, pg 129.

<sup>61</sup> Competition Policy Agreements, cl 3.(4)(b)(ii): <https://www.pc.gov.au/inquiries/completed/access/files/ncpageement.pdf>

## CAPEC competitive neutrality complaint

- (iii) a member of a family of a person who, together with the members of his or her family, has controlling interest in the body corporate.

### (b) Contract Determinations

Under Chapter 6 of the *Industrial Relations Act 1996* (NSW), the New South Wales Industrial Relations Commission can make Contract Determinations, (which are akin to awards) which provide for minimum terms and conditions (including minimum rates) that must be paid to contract carriers.

The General Carriers Contract Determination 2017<sup>62</sup> covers most contract carriers in NSW and provides minimum rates of engagement that must be paid to those contract carriers.

### (c) Australia Post exemption

Under section 309(4)(c) *Industrial Relations Act 1996* (NSW), there is an express exclusion for the carriage of mail by or on behalf of Australia Post. However, the term 'mail' is not defined in the *Industrial Relations Act 1996* (NSW).

Section 3 of the APC Act also does not define 'mail' but uses the term "article". Relevantly, the term "article" includes an envelope, packet, parcel, container or wrapper containing any matter or thing (including a letter, message, information or direction to pay an amount of money).

### (d) Exemption applicable only to Australia Post

The view taken by Australia Post appears to be that given the term "mail" is not defined in the *Industrial Relations Act 1996* (NSW), the term is not restricted to envelopes or letters but should be read as a reference to all "articles" carried by or on behalf of Australia Post.

As such, Australia Post appears to treat itself as exempt from the minimum rates for contract carriers set out in the Transport Industry – General Carriers Contract Determination 2017, both in terms of contract carriers engaged directly by Australia Post to deliver parcels and contract carriers engaged by private service providers for the delivery of parcels on behalf of Australia Post.

This gives Australia Post an advantage in terms of its ability to engage contractors to deliver parcels in New South Wales at lower rates than its competitors.

### (e) Australia Post enjoys a net competitive advantage

The fact that Australia Post appears to be exempt from complying with the Determination for the provision of its services in relation to "articles", which relevantly includes both mail and parcels, highlights how Australia Post uses its position as a GBE to negate competing with private delivery providers such as CAPEC Members. By conflating the

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<sup>62</sup> Transport Industry - General Carriers Contract Determination 2017:  
[https://www.industrialrelations.nsw.gov.au/assets/Uploads/publications/Transport-award-listing-157/Transport-Industry-General-Carriers-Contract-Determination-2017-award\\_0105.pdf](https://www.industrialrelations.nsw.gov.au/assets/Uploads/publications/Transport-award-listing-157/Transport-Industry-General-Carriers-Contract-Determination-2017-award_0105.pdf)

## CAPEC competitive neutrality complaint

definition of “articles”, Australia Post has effectively been able to camouflage its commercial parcel delivery services as mail delivery services to achieve a net competitive advantage in relation to engaging contract carriers and complying with the relevant Determination.

Although CAPEC Members understand that Australia Post may contract with private courier on a per delivered article basis, it is not clear whether this arrangement would meet the minimum rates set out in the Determination.

### 5.3 Preferential use of public roads and access to other public assets that are not otherwise available to CAPEC Members

#### (a) Use of local roads for the delivery of parcels by Australia Post

Each State and Territory has prescribed rules exempting Australia Post from adherence with certain road rules in relation to the delivery of mail. Set out below are some examples relating to the operation of these exemptions in NSW under the *Road Rules 2014* (NSW):

- (i) Prohibition on stopping in mail zones: Although regular drivers are prohibited from stopping in mail zones,<sup>63</sup> this does not apply to drivers of postal vehicles.<sup>64</sup> A postal vehicle means a vehicle driven by a postal worker, which is an employee of Australia Post or another person engaged by Australia Post to deliver post.<sup>65</sup>
- (ii) Prohibition on driving up one-way streets: Drivers cannot drive in the opposite direction of a one-way street.<sup>66</sup> This prohibition does not apply to riders of a motor bike that is a postal vehicle.
- (iii) Prohibition on stopping at side of clearway: Drivers cannot stop at the side of the road in a clearway,<sup>67</sup> except for postal vehicles engaged in the clearance of mail from an Australia Post public post box.

If CAPEC Members engaged in the same activity they would be subject to a fine.

CAPEC appreciates that Australia Post can use legitimate exemptions to the road rules for the purposes of performing its community service obligations. However, the extension of these advantages into competitive parcels delivery results in an unfair distortion of competition in that market arising from Australia Post’s government ownership, in contravention of principles of competitive neutrality.

#### (b) The delivery of parcels to the consumer and local distribution

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<sup>63</sup> *Road Rules 2014* (NSW), s 186.

<sup>64</sup> *Road Rules 2014* (NSW), s 313.

<sup>65</sup> *Road Rules 2014* (NSW), s 4.

<sup>66</sup> *Road Rules 2014* (NSW), s 98.

<sup>67</sup> *Road Rules 2014* (NSW), s 176.



## CAPEC competitive neutrality complaint

Australia Post has been able to effectively leverage its established letter delivery network and extensive retail infrastructure to pivot from the delivery of letters to the delivery of parcels.

IBISWorld has indicated that Australia Post's network is "extensive" and that it has sought to grow its activities in parcel transport, which has involved "considerable capital investment and the use of its existing retail and delivery network to provide extra services, such as delivering small items on standard postal routes alongside letters".<sup>68</sup> It was further noted in this context that "Australia Post is connected to the largest retail network in Australia, which is a major advantage for the company as demand for parcel delivery grows".<sup>69</sup>

In addition to its network and infrastructure, Australia Post is permitted to deliver goods to PO Boxes, Australia Post's 24/7 parcel lockers and third-party collection points (such as Woolworths), so that customers can collect packages themselves. These include StarTrack goods.

CAPEC Members understand that Australia Post increasingly uses its postal network for the delivery of parcels. CAPEC Members consider that they are not able to effectively compete with Australia Post in the delivery of parcels as they cannot rival the networks and infrastructure developed over decades by Australia Post.

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## 6 Conclusion

For the reasons outlined above, existing regulations, combined with Australia Post's dominant size and other advantages it enjoys arising from its government ownership, creates an uneven playing field that confers an unfair competitive advantage on Australia Post. This distorts competition in the competitive market for parcel delivery in a way that is contrary to the principles of competitive neutrality.

CAPEC requests that the AGCNCO consider this submission and undertake an investigation into what CAPEC regards as a clear breach of the competitive neutrality principles.

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<sup>68</sup> IBISWorld Report, *Postal Services in Australia*, June 2021, pg 6.

<sup>69</sup> IBISWorld Report, *Postal Services in Australia*, June 2021, pg 17.

## CAPEC competitive neutrality complaint

### Annexure 1 – Competitive Neutrality Reporting Matrix prepared by CAPEC

The Commonwealth, States and Territories are required to report annually on competitive neutrality compliance, in observance with the competitive neutrality report requirements under the Competition and Infrastructure Regulation Agreement. The Heads of Treasuries are responsible for agreeing and publishing online the annual competitive neutrality matrix on the Council of Federal Financial Relations website.<sup>70</sup> We have detailed in Table 1 below the competitive neutrality reporting obligations as they apply to Australia Post from 2011 to 2018 on a financial year basis. Data from 2017-18 onwards has not been published by the Council of Federal Financial Relations and has not been included below.

In summary, the data available suggests that Australia Post self-reports itself as compliant with its competitive neutrality obligations, as up to 2017-18.

**Table 1 – Annual Competitive Neutrality Matrix Data (2011-12 to 2017-18)**

Year <sup>71</sup>	Assessed subject to CN(1)	Tax or tax equivalent payments (CPA 3 (4)(b)(i))	Debt neutrality charge (CPA 3 (4)(b)(ii))	Regulatory neutrality (CPA 3 (4)(b)(iii))	Enterprise has clear commercial objectives (CIRA 6.1(a))	Non-commercial objectives or obligations specified and publicly reported (CIRA 6.1(b))	Does not exercise regulatory/ planning approval where competes with private sector (CIRA 6.1(c))	Governing board responsibilities published (CIRA 6.1(d))	Performance measures against which board accountable published (CIRA 6.1(d))	Governing board appointed on basis of particular skills needed by board (CIRA 6.1(e))	Operational autonomy in day to day management of affairs (CIRA 6.1(f))	Dividend policy applicable to the enterprise clearly and publicly specified (CIRA 6.1(g))	Payments to government as shareholder or for purposes of CN identified in transparent manner (CIRA 6.1(h))	Annual public report on commercial performance and performance of any non-commercial activities (CIRA 6.1(i))	Any directions given to enterprise by the government are published (CIRA 6.1(j))	Where the legislation establishing an enterprise derogates from CN, the derogation has been published (CIRA 6.1(k))
2011-12 to 2014-15	Yes	Yes	Yes Post is able to borrow from the private sector and must comply with CN.	Yes	Yes	Yes Disclosed in the Corporate Plan for publication.	Yes	Yes These are outlined in Part 2 of GBE Guidelines and enabling legislation.	Yes Part 3 of GBE Guidelines requires broad financial and non-financial performance measures to be reported in the Corporate Plan for publication.	Yes	Yes	Yes Dividend policy outlined in Part 4 of GBE Guidelines.	Yes Required under Section 6.1 of the CN Guidelines.	Yes Covered as part of Annual Report.	Yes Part 1 of the GBE Guidelines requires government policy orders specifying the application of policy to a GBE be in writing and placed on the Federal Register of Legislative Instruments. Enabling legislation also provides for directions to be in writing and tabled in Parliament.	N/A Enabling legislation is consistent with CN (e.g. Post is liable for all C'wealth and State taxes).

<sup>70</sup> [https://www.federalfinancialrelations.gov.au/content/performance\\_reporting.aspx](https://www.federalfinancialrelations.gov.au/content/performance_reporting.aspx)

<sup>71</sup> From 2015-16 the format of the competitive neutrality reporting matrix was amended. Accordingly, the table has been updated to reflect the data input for the financial years 2015-16 to 2017-18 under each corresponding matrix heading.

## CAPEC competitive neutrality complaint

Year <sup>71</sup>	Assessed subject to CN(1)	Tax or tax equivalent payments (CPA 3 (4)(b)(i))	Debt neutrality charge (CPA 3 (4)(b)(ii))	Regulatory neutrality (CPA 3 (4)(b)(iii))	Enterprise has clear commercial objectives (CIRA 6.1(a))	Non-commercial objectives or obligations specified and publicly reported (CIRA 6.1(b))	Does not exercise regulatory/ planning approval where competes with private sector (CIRA 6.1(c))	Governing board responsibilities published (CIRA 6.1(d))	Performance measures against which board accountable published (CIRA 6.1(d))	Governing board appointed on basis of particular skills needed by board (CIRA 6.1(e))	Operational autonomy in day to day management of affairs (CIRA 6.1(f))	Dividend policy applicable to the enterprise clearly and publicly specified (CIRA 6.1(g))	Payments to government as shareholder or for purposes of CN identified in transparent manner (CIRA 6.1(h))	Annual public report on commercial performance and performance of any non-commercial activities (CIRA 6.1(i))	Any directions given to enterprise by the government are published (CIRA 6.1(j))	Where the legislation establishing an enterprise derogates from CN, the derogation has been published (CIRA 6.1(k))
2015-16 to 2017-18	Yes	Yes	Yes Australia Post does not pay any debt neutrality fees in light of its government ownership, however significant costs are imposed on the entity through its letters Community Service Obligations (CSO).	Yes	Yes	Yes	Yes	Yes For Australia Post, further details are specified in its enabling legislation, the <i>Australian Postal Corporation Act 1989</i> .	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes There are no derogations from CN in the enabling legislation for Australia Post.

# CAPEC competitive neutrality complaint

## Annexure 2 – CN 22 Form

CN 22 (Back)

**Instructions**

To accelerate customs clearance, you must complete all applicable fields, and fill in this form in English, French or in a language accepted by the destination country. If the value of the contents is more than 300 SDR, you must use a CN 23 form. You must give the sender's full name and address on the front of the item.

For commercial items, it is recommended that you complete the fields marked with an asterisk (\*), and attach an invoice to the outside, as it will assist Customs in processing the items.

Select a reason for export. ("Gift" is not an acceptable reason for export for commercial items.)

(1) Give a detailed description (generic descriptions such as "clothes" are not acceptable), quantity and unit of measure for each article, e.g. two men's cotton shirts.

(2), (3) Give the weight and value with currency for each article, e.g. CHF for Swiss francs.

(4\*) The HS tariff number (6 digits) is based on the Harmonized Commodity Description and Coding System developed by the World Customs Organization.


(5\*) Country of origin means the country where the goods originated, e.g. were produced, manufactured or assembled.

(6), (7) Give the total value and weight of the item.

(8) Your signature and the date confirm your liability for the item.

Note. – It is recommended that designated operators indicate the equivalent of 300 SDR in their national currency

Optional. Must meet S10 standard, including barcode height

		May be opened officially		<b>CN 22</b>	
<b>CUSTOMS DECLARATION</b>		<b>Important!</b> See instructions on the back			
Designated operator					
Gift		Commercial sample			
Documents		Returned goods			
Sale of goods		Other (please specify):			
Quantity and detailed description of contents (1)		Net weight (2)	Value and currency (3)	H S tariff number* (4)	Country of origin* (5)
Total weight (in kg) (6)		Total value (7)		I, the undersigned, whose name and address are given on the item, certify that the particulars given in this declaration are correct and that this item does not contain any dangerous article or articles prohibited by legislation or by postal or customs regulations Date and sender's signature (8)	

Size 74 x 105 mm, white or green

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## Annexure 3 – CN 23 Form

CUSTOMS DECLARATION		CN 23	
(Designated operator)		<b>May be opened officially</b>	
No. of item (barcode, if any)		<b>Important!</b>	
Sender's customs reference (if any)		See instructions on the back	
<b>From</b>	Name		
	Business		
	Street	Tel. No.	
	Postcode	City	
	Country		
<b>To</b>	Name		
	Business		
	Street	Tel. No.	
	Postcode	City	
	Country		
Importer/addressee reference (if any) (tax code/VAT No./importer code) (optional)			
Importer/addressee fax/e-mail (if known)			
Detailed description of contents (1)	Quantity (2)	Net weight (in kg) (3)	Value (5)
		Total gross weight (4)	Total value (6)
Category of item (10)		Office of origin/Date of posting	
<input type="checkbox"/> Commercial sample	Other (please specify):		
<input type="checkbox"/> Gift	Explanation:		
<input type="checkbox"/> Returned goods			
<input type="checkbox"/> Documents	Sale of goods		
Comments (11): (e.g.: goods subject to quarantine, sanitary/phytosanitary inspection or other restrictions)			
Licence (12) No(s). of licence(s)	Certificate (13) No(s). of certificate(s)	Invoice (14) No. of invoice	
		Date and sender's signature (15)	

Convention, Istanbul 2016, art. 20-001 – Size 210 x 148 mm

## Instructions

You should attach this customs declaration and accompanying documents securely to the outside of the item, preferably in an adhesive transparent envelope. If the declaration is not clearly visible on the outside, or if you prefer to enclose it inside the item, you must fix a label to the outside indicating the presence of a customs declaration.

To accelerate customs clearance, complete this declaration in English, French or in a language accepted in the destination country. If available, add importer/addressee telephone number and e-mail address, and sender telephone number.

To clear your item, the Customs in the country of destination need to know exactly what the contents are. You must therefore complete your declaration fully and legibly; otherwise, delay and inconvenience may result for the addressee. A false or misleading declaration may lead to a fine or to seizure of the item.

Your goods may be subject to restrictions. It is your responsibility to enquire into import and export regulations (prohibitions, restrictions such as quarantine, pharmaceutical restrictions, etc.) and to find out what documents, if any (commercial invoice, certificate of origin, health certificate, licence, authorization for goods subject to quarantine (plant, animal, food products, etc.) are required in the destination country.

Commercial item means any goods exported/imported in the course of a business transaction, whether or not they are sold for money or exchanged.

- (1) Give a detailed description of each article in the item, e.g. "men's cotton shirts". General descriptions, e.g. "spare parts", "samples" or "food products" are not permitted.
- (2) Give the quantity of each article and the unit of measurement used.
- (3) and (4) Give the net weight of each article (in kg). Give the total weight of the item (in kg), including packaging, which corresponds to the weight used to calculate the postage.
- (5) and (6) Give the value of each article and the total, indicating the currency used (e.g. CHF for Swiss francs).
- (7) and (8) The HS tariff number (6-digit) must be based on the Harmonized Commodity Description and Coding System developed by the World Customs Organization. "Country of origin" means the country where the goods originated, e.g. were produced/manufactured or assembled. Senders of commercial items are advised to supply this information as it will assist Customs in processing the items.
- (9) Give the amount of postage paid to the Post for the item. Specify separately any other charges, e.g. insurance.
- (10) Tick the box or boxes specifying the category of item.
- (11) Provide details if the contents are subject to quarantine (plant, animal, food products, etc) or other restrictions.
- (12), (13) and (14) If your item is accompanied by a licence or a certificate, tick the appropriate box and state the number. You should attach an invoice for all commercial items.
- (15) Your signature and the date confirm your liability for the item.

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### Annexure 4 – Short Form SAC

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#### Schedule 1—SAC (SHORT FORM)

##### *Approved Statement – Customs Act 1901 subsection 71AAAF(1)*

Item No.	Short title	Information required
1.	Are the goods prohibited or restricted imports or do you wish to refer these goods to the Department for assessment of prohibited or restricted status?	Indicate whether the goods prohibited or restricted imports or the person giving the declaration wishes to refer the goods to the Department for assessment of prohibited or restricted status.
2.	Are the goods alcohol or tobacco products?	Indicate whether the goods are alcohol or tobacco products.
3.	Do you wish to refer these goods to the Department of Agriculture	Indicate whether the person giving the declaration wishes to refer the goods to the Department of Agriculture.
4.	Referral Reason Description	If the person making the declaration has indicated that the goods should be referred to the Department and/or the Department of Agriculture – the reason why he or she believes that the goods require further assessment.
5.	Branch Identifier	The six character alphanumeric identifier allocated by the Department that further identifies a branch within the company or body making the declaration.
6.	Communicator Reference	The reference allocated by the person giving the declaration and used by him or her to identify the declaration.
7.	Owner Reference	The identifier assigned by the owner to identify (and distinguish from others) the declaration and all subsequent amendments to the declaration.
8.	Communicator Contact Phone Number	The telephone number of the person to be contacted in relation to this declaration.
9.	Importer Identifier	The Australian Business Number (ABN) or combination ABN and Client Activity Centre identifier (CAC) issued by the Australian Taxation Office (ATO), or Customs Client Identifier (CCID) that identifies the owner of the goods.
10.	Owner ABN	The Australian Business Number (ABN) of the owner of the goods.
11.	Owner CAC	The Client Activity Centre identifier (if any) issued by the Australian Taxation Office (ATO) to the owner.
12.	Owner CCID	If the owner does not have an ABN or does not want to use it – the identifier assigned by the Department to the owner.
13.	Owner Name	The full name of the person who is the owner of the goods.
14.	Owner Address	The address of the owner of the goods.
15.	Delivery Name	The full name of the person, business or other entity to whom the goods are finally destined.

## CAPEC competitive neutrality complaint

Item No.	Short title	Information required										
16.	Delivery Address	The address identifying where the goods are finally destined.										
17.	Arrival Date	Date of arrival of the ship or aircraft at the Australian port or airport at which the goods subject of the declaration are to be, or were, discharged.										
18.	Goods Description	A description of the goods sufficient for the Department to ascertain the correct classification of the goods.										
19.	Discharge Port Code	The UN/LOCODE for the place where the first port or airport where goods will be, or were, unloaded is located.										
20.	Destination Port Code	The UN/LOCODE for the place where the goods are requested to be, or were, released into home consumption or entered into a warehouse.										
21.	Mode of Transport	The code indicating the mode of transport of the goods: <ul style="list-style-type: none"> <li>• Air</li> <li>• Sea</li> </ul>										
<b>If the goods are to be, or were, imported by AIR – Items 22 to 23 are required.</b>												
22.	Master Air Waybill Number	The master air waybill number relating to the goods.										
23.	House Air Waybill Number	The house air waybill number relating to the goods.										
<b>If the goods are to be, or were, imported by SEA – Items 24 to 27 are required.</b>												
24.	Voyage Number	The voyage number of the ship that is, or was, carrying the goods.										
25.	Vessel Identifier	The identifier of the ship that is, or was, carrying the goods which is either: <ul style="list-style-type: none"> <li>• The Lloyd's identification number of the vessel; or</li> <li>• If the vessel does not have a Lloyd's identification number, the identification code allocated to the operator of the ship by the Department.</li> </ul>										
26.	Cargo Type	Indicate whether the goods are containerised, non-containerised or bulk: <table style="margin-left: 20px;"> <tr> <td>B/B</td> <td>Break Bulk</td> </tr> <tr> <td>BLK</td> <td>Bulk</td> </tr> <tr> <td>FCL</td> <td>Full Container Load</td> </tr> <tr> <td>FCX</td> <td>Full Container Multiple House Bill</td> </tr> <tr> <td>LCL</td> <td>Less Than Container Load</td> </tr> </table>	B/B	Break Bulk	BLK	Bulk	FCL	Full Container Load	FCX	Full Container Multiple House Bill	LCL	Less Than Container Load
B/B	Break Bulk											
BLK	Bulk											
FCL	Full Container Load											
FCX	Full Container Multiple House Bill											
LCL	Less Than Container Load											
27.	Container Number	The unique identifier assigned by the marine industry to the container the goods are packed in.										
<b>If the goods contain alcohol or tobacco – Items 28 to 44 are required.</b>												
28.	EFT Payment Indicator	Indicate whether the liability arising from the declaration is to be paid by electronic funds transfer.										
29.	Supplier Name	The full name of the company or individual that supplied the goods for export.										



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Item No.	Short title	Information required
30.	Origin Country Code	The code for the country in which the goods were made, produced, manufactured, or otherwise originated, other than for preferential purposes, being: (a) the ISO Country Code for that country; or (b) where there is no ISO Country Code available for that country, as provided by the Department.
31.	Valuation Date	The date of export of the goods from the place of export.
32.	Header Amount (\$AUD) Customs Value	The invoice value or the price paid for all goods covered by this declaration, in Australian dollars.
33.	Header Amount (\$AUD) Transport & Insurance	The total value of transport and/or insurance, if any, for the goods covered by this declaration, in Australian dollars.
34.	Supplier Identifier	The alphanumeric code, as allocated by the Department that identifies the supplier of the goods.
35.	Vendor Identifier	The ATO Reference Number (ARN) or Australian Business Number (ABN) issued by the Australian Taxation Office (ATO) that identifies the seller of the goods is registered for Goods and Services Tax (GST).
36.	Tariff Classification Number	The eight digit tariff classification, under which the goods are classified, as specified in Schedule 3 of the <i>Customs Tariff Act 1995</i> .
37.	Statistical Code	A two digit number that identifies the goods against the classification or at a more detailed level.
38.	Customs Value Amount (\$AUD)	The invoice value or the price paid for the line of goods, in Australian dollars.
39.	GST Exemption Code	If the goods are exempt from Goods and Services Tax (GST) – indicate which exemption applies to the goods.
40.	WET Exemption Code	If the goods are exempt from Wine Equalisation Tax (WET) – the code indicating which exemption applies to the goods.
41.	WET Quote Indicator	If the goods are wines and the owner has been approved for deferral – indicate whether the payment of WET is being deferred
42.	Quantity	For each line of goods if the Combined Australian Customs Tariff Nomenclature and Statistical Classification requires the quantity of the goods to be provided – the net quantity of the goods.
43.	Quantity Unit	If a quantity is required under item 40 – the unit of quantity.
44.	Consignment Reference	The reference assigned by a cargo reporter that, in combination with the House Air Way Bill (HAWB) number, identifies cargo of a particular consignment.

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### Annexure 5 – Air Cargo Report Form

#### Schedule 1— CARGO REPORT (AIR)

##### *Approved Statement – Customs Act 1901 subsection 64AB(4B)*

Item No.	Short title	Information required
1.	Sender Reference	The identifier assigned by the person communicating the report to identify (and distinguish from others) the report and all subsequent amendments to the report.
2.	Sender Reference Version	The numeric identifier assigned by the person communicating the report to identify the version of the report or the sequence of related reports.
3.	Air Waybill Number Master	The reference number assigned by the carrier or their agent to the transport document covering the total consignment.
4.	Air Waybill Number Sub-Master	The reference number assigned by a cargo reporter or their agent to the transport document covering a consolidation, which forms part of the total consignment.
5.	Air Waybill Number House	The reference number assigned by a cargo reporter that, in combination with the master air waybill number, identifies a house waybill consignment. This field is not required if the cargo reporter is a “special reporter” and the goods are “low value cargo” (as defined in section 63A of the <i>Customs Act 1901</i> ). This field is not required if the cargo reporter is a “re-mail reporter” and the goods are a “re-mail item” (as defined in section 63A of the <i>Customs Act 1901</i> ).
6.	Flight No	The airline code (as allocated by the International Air Transport Association (IATA)), and flight number (as assigned by the carrier to identify the journey of the aircraft) for the flight carrying the goods.
7.	Arrival Date	For each airport the aircraft is stopping at in Australia - the date on which the aircraft is expected to arrive at the airport.
8.	Port Code Discharge	For each airport in Australia at which goods will be unloaded - the UNLocode, as published by the United Nations Economic Commission for Europe (UN/ECE), for the place where the airport is located.
9.	Port Code Destination	The UN/LOCODE for the place where the goods are requested to be, or were, released into home consumption or entered into a warehouse.
10.	First Australian Port Code	The UNLocode for the place where the first Australian airport the aircraft is expected to arrive at is located.
11.	Original Loading Port Code	The UNLocode for the place where the goods were originally loaded onto the aircraft that is carrying the goods to Australia.
12.	Waybill Origin Port Code	The UNLocode for the place where the original air waybill was first cut.
13.	Responsible Party ID	The Australian Business Number (ABN), or code allocated by the Department (the Customs Client Identifier or CCID), that identifies the cargo reporter.

## CAPEC competitive neutrality complaint

Item No.	Short title	Information required
14.	Importer Identifier	The Australian Business Number (ABN) or combination ABN and Client Activity Centre identifier (CAC) issued by the Australian Taxation Office (ATO), or Customs Client Identifier (CCID) that identifies the owner of the goods.
15.	Vendor Identifier	The ATO Reference Number (ARN) or Australian Business Number (ABN) issued by the Australian Taxation Office (ATO) that identifies the seller of the goods is registered for GST.
16.	Supplier Identifier	The alphanumeric code, as allocated by the Department that identifies the supplier of the goods.
17.	Consignee Name	The name of the person who is the ultimate recipient of the goods, whether or not the person ordered or paid for the goods.
18.	Consignee Address	The actual physical address of the consignee.
19.	Consignee Contact	The name of a person nominated to receive notifications, arrange payments and take delivery of the goods.
20.	Consignee Contact Phone Number	The phone number of the person identified in item 16.
21.	Consignor Name	If the report is required under subsection 64AB(2) - the name of the supplier of goods who is located outside Australia and initiates the sending of goods to a person in Australia or complies with a request from a person in Australia to send goods to the person. If the report is required under subsection 64AB(2A) - the name of the supplier of goods who is located outside Australia and initiates the sending of goods to a person in a place outside Australia or complies with a request from a person in a place outside Australia to send goods to the person.
22.	Consignor Address	The address of the consignor.
23.	Consignor Contact	The name of the consignor or the person who may answer questions on behalf of the consignor.
24.	Consignor Contact Phone Number	The phone number of the person identified in item 20.
25.	Notify Party Name	If the goods are being imported into Australia - the name of the person (the notify party) who may be notified in regards to the goods.
26.	Notify Party Address	The address of the notify party.
27.	Notify Party Contact	If the goods are being imported into Australia - the name of a contact in the notify party.
28.	Notify Party Contact Phone Number	The phone number of the person identified in item 24.
29.	Unique Consignment Reference Number	If cargo is being imported into Australia - the unique reference, consistent with the World Customs Organisation (WCO) guidelines, that identifies a consignment in commercial documents and messages.
30.	Special Reporter Number	If the goods are low value cargo of a particular kind or a re-mail item - the authorisation number allocated by the Department to the special reporter or re-mail reporter to be used when making abbreviated cargo reports.

## CAPEC competitive neutrality complaint

Item No.	Short title	Information required
31.	Overseas Routing Port Code (s)	For each place outside Australia that the goods stopped at on the flight - the UNLCode for the place.
32.	Goods Description	A detailed and accurate description of the goods as shown on the air waybill.
33.	Number of Packages	The total number of packages in which the goods are packed into not including packages packed into a container.
34.	Gross Weight Quantity	The gross weight of the goods including packing.
35.	Gross Weight Unit	The code indicating the unit of weight used to measure the gross weight of the goods; <ul style="list-style-type: none"> <li>• Grams (G)</li> <li>• Kilograms (KG)</li> <li>• Tonnes (T)</li> <li>• Pounds (LB)</li> </ul>
36.	Declared Value	The commercial value of the goods. If the goods have no commercial value - "NDV".
37.	Declared Value Currency Code	The code that identifies the currency of the declared value.
38.	Freight Forwarder Indicator	If goods are being imported into Australia and are a co-load/consolidation – indicate if another cargo reporter will be providing further cargo reports.
39.	Method of Payment	Method by which freight costs are paid.
40.	Reportable Documents Indicator	Indicate if the goods are: <ol style="list-style-type: none"> <li>(a) any paper or other material on which there is writing; or</li> <li>(b) any paper or other material on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them; or</li> <li>(c) any paper or other material on which a photographic image or other image is recorded; or</li> <li>(d) any article or material from which sounds, images or writing is capable of being produced with or without the aid of a computer or of some other device; but not such paper, article or other material:</li> <li>(e) that comprises advertising material; or</li> <li>(f) that does not yet contain the sounds, images or writing for the carriage of which it was produced.</li> </ol>
41.	Personal Effects Indicator	If the goods are being imported into Australia - indicate whether the goods are unaccompanied personal effects.

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### Annexure 6 – Air Cargo Report Self-Assessed Clearance Form

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#### Schedule 1— SELF-ASSESSED CLEARANCE DECLARATION (AIR) (TO BE COMMUNICATED WITH A CARGO REPORT)

*Approved Statement – Customs Act 1901 subsection 71AAAF(1)*

Item No.	Short title	Information required
1.	Sender Reference	The identifier assigned by the person communicating the report to identify (and distinguish from others) the report and all subsequent amendments to the report.
2.	Sender Reference Version	The numeric identifier assigned by the person communicating the report to identify the version of the report or the sequence of related reports.
3.	Air Waybill Number Master	The reference number assigned by the carrier or their agent to the transport document covering the total consignment.
4.	Air Waybill Number Sub-Master	The reference number assigned by a cargo reporter or their agent to the transport document covering a consolidation, which forms part of the total consignment.
5.	Air Waybill Number House	The reference number assigned by a cargo reporter that, in combination with the master air waybill number, identifies a house waybill consignment. This field is not required if the cargo reporter is a “special reporter” and the goods are “low value cargo” (as defined in section 63A of the <i>Customs Act 1901</i> ). This field is not required if the cargo reporter is a “re-mail reporter” and the goods are a “re-mail item” (as defined in section 63A of the <i>Customs Act 1901</i> ).
6.	Flight No	The airline code (as allocated by the International Air Transport Association (IATA)), and flight number (as assigned by the carrier to identify the journey of the aircraft) for the flight carrying the goods.
7.	Arrival Date	For each airport the aircraft is stopping at in Australia - the date on which the aircraft is expected to arrive at the airport.
8.	Port Code Discharge	For each airport in Australia at which goods will be unloaded - the UNLocode, as published by the United Nations Economic Commission for Europe (UN/ECE), for the place where the airport is located.
9.	Port Code Destination	The UNLocode for the place where the goods are destined.
10.	Original Loading Port Code	The UNLocode for the place where the goods were originally loaded onto the aircraft that is carrying the goods to Australia.
11.	Waybill Origin Port Code	The UNLocode for the place where the original air waybill was first cut.
12.	Responsible Party Id	The Australian Business Number (ABN), or code allocated by the Department (the Customs Client Identifier or CCID), that identifies the cargo reporter.

## CAPEC competitive neutrality complaint



Item No.	Short title	Information required
13.	Import Identifier	The Australian Business Number (ABN) or combination ABN and Client Activity Centre identifier (CAC) issued by the Australian Taxation Office (ATO), or Customs Client Identifier (CCID) that identifies the owner of the goods.
14.	Vendor Identifier	The ATO Reference Number (ARN) or Australian Business Number (ABN) issued by the Australian Taxation Office (ATO) that identifies the seller of the goods is registered for GST.
15.	Supplier Identifier	The alphanumeric code, as allocated by the Department that identifies the supplier of the goods.
16.	Consignee Name	The name of the person who is the ultimate recipient of the goods, whether or not the person ordered or paid for the goods.
17.	Consignee Address	The actual physical address of the consignee.
18.	Consignee Contact	The name of a person nominated to receive notifications, arrange payments and take delivery of the goods.
19.	Consignee Contact Phone Number	The phone number of the person identified in item 15.
20.	Consignor Name	If the report is required under subsection 64AB(2) - the name of the supplier of goods who is located outside Australia and initiates the sending of goods to a person in Australia or complies with a request from a person in Australia to send goods to the person. If the report is required under subsection 64AB(2A) - the name of the supplier of goods who is located outside Australia and initiates the sending of goods to a person in a place outside Australia or complies with a request from a person in a place outside Australia to send goods to the person.
21.	Consignor Address	The address of the consignor.
22.	Consignor Contact	The name of the consignor or the person who may answer questions on behalf of the consignor.
23.	Consignor Contact Phone Number	The phone number of the person identified in item 19.
24.	Unique Consignment Reference Number	If cargo is being imported into Australia - the unique reference, consistent with the World Customs Organisation (WCO) guidelines, that identifies a consignment in commercial documents and messages.
25.	Goods Description	A detailed and accurate description of the goods as shown on the air waybill.
26.	Number of Packages	The total number of packages in which the goods are packed into not including packages packed into a container.
27.	Gross Weight Quantity	The gross weight of the goods including packing.

## CAPEC competitive neutrality complaint

Item No.	Short title	Information required
28.	Gross Weight Unit	The code indicating the unit of weight used to measure the gross weight of the goods; <ul style="list-style-type: none"><li>• Grams (G)</li><li>• Kilograms (KG)</li><li>• Tonnes (T)</li><li>• Pounds (LB)</li></ul>
29.	Declared Value	The commercial value of the goods. If the goods have no commercial value - "NDV".
30.	Declared Value Currency Code	The code that identifies the currency of the declared value.
31.	Self-Assessed Clearance Declaration Indicator	<p>Checking this box means that the person sending the cargo report is also making self-assessed clearance declaration under section 71 of <i>the Customs Act 1901</i>. The self-assessed clearance declaration made by checking this indicator declares that:</p> <ul style="list-style-type: none"><li>• The value of the goods does not exceed AUD\$1000; and</li><li>• The description of the goods:<ul style="list-style-type: none"><li>(i) does not include any word, term or description specified in the document provided by the Department titled SAC thesaurus; or</li><li>(ii) includes a word, term or description specified in that document but the goods described are not alcohol or tobacco and their importation is not subject to a restriction or permission under a Commonwealth law; and</li></ul></li><li>• The goods are not being referred to the Department of Agriculture for possible quarantine concerns.</li></ul> <p>Do not check this box if you cannot declare the above with certainty or you wish to provide more information in relation to the goods for the Department or DAWR consideration. A separately lodged self-assessed clearance declaration can be used for this purpose.</p>

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## Annexure 7 – Air Cargo Report Self-Assessed Clearance Form – Integrated Cargo System Example

ICS EXT\_PROD HELP **Air Cargo Report View**  


[View EDI Details](#) Version < 1 >

<b>Air Waybill No</b> [Redacted]	<b>Master</b> [Redacted] <b>Sub-Master</b> [Redacted]	<b>House</b> [Redacted]
<b>Consignment Reference</b>		<b>Arrival Date</b> 12 OCT 2021
<b>Flight No</b> [Redacted]	<b>Discharge</b> AUMEL <b>Destination</b> AUMEL	<b>First Australian Port Code</b>
<b>Port Code</b> AUMEL		<b>Waybill Origin Port Code</b> NZAKL
<b>Original Loading Port Code</b> NZAKL	<b>Reported By</b> [Redacted] DHL EXPRESS (AUSTRALIA)	<b>Responsible Party</b> [Redacted] DHL EXPRESS (AUSTRALIA)
<b>Importer ID</b>	<b>ABN</b> [Redacted] <b>CAC</b> [Redacted] <b>CCID</b> [Redacted]	<b>Vendor ID</b>
<b>Importer TIN</b>	<b>OR</b> [Redacted]	<b>Supplier ID</b>
<b>Importer Name</b>		<b>Consignor TIN</b>
<b>Consignee</b> [Redacted]		<b>Consignor Name</b>
<b>Notify Party</b> [Redacted]		<b>Consignor</b> [Redacted]
<b>Overseas Routing Port Code(s)</b>		<b>Unique Consignment Ref No</b> [Redacted]
<b>Goods Description</b> [Redacted]		<b>Special Reporter No</b>
<b>No Of Packages</b> 1		<b>Transshipment No</b>
<b>Consolidated Cargo Status</b> CLEAR		
<b>Declared Value of Goods</b> 543.84		<b>Quantity</b> 0.5 <b>Unit</b> KG
<b>Freight Forwarder Indicator</b> NO		<b>Gross Weight</b> 0.5
<b>Reportable Documents Indicator</b> NO		<b>Declared Value of Goods Currency Code</b> AUD
<b>Personal Effects Indicator</b> NO		<b>Freight Method Of Payment</b> PO
<b>Transit Indicator</b> NO		<b>Self Assessed Clearance Declaration</b> YES
		<b>Part Shipment Indicator</b> NO
		<b>Created Part Indicator</b> NO

[Event History](#) [Impending Arrival](#) [Status](#)



Annexure 8 – N10 Import Declaration



## Import declaration (N10)

Approved Form Section 71K of the Customs Act 1901

NOTICE: The following information, including personal information, is required to be reported under section 71K of the Customs Act 1901 in order to ensure that your goods are properly cleared for delivery into home consumption. Information provided on this form may be disclosed to other agencies, including the Australian Bureau of Statistics and the Australian Taxation Office. If you are required to hold a permit to import these goods, the permit details will also be given to the relevant permit issuing agency. Any false or misleading statements may result in penalty action under section 243T or 243U of the Customs Act 1901. Personal information is collected, used, stored and disclosed by the Department of Home Affairs (the Department) in accordance with the Australian Privacy Principles in schedule 1 of the Privacy Act 1988. Further information regarding how the Department collects, stores, uses and discloses personal information may be found in form 14421 Privacy notice available at [www.homeaffairs.gov.au/forms/documents/14421.pdf](http://www.homeaffairs.gov.au/forms/documents/14421.pdf). More information about how the Department handles personal information can be found in the Department's Privacy Policy at [www.homeaffairs.gov.au/about/access-accountability/plans-policies-charters/policies/privacy](http://www.homeaffairs.gov.au/about/access-accountability/plans-policies-charters/policies/privacy).

Please open this form using Adobe Acrobat Reader. Either type in the fields provided or print this form and complete it using a pen and BLOCK LETTERS. Tick where applicable

Import declaration (s71A) OR  Return in relation to special clearance goods (s70(7))

**Official Use Only**  
Declaration ID

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**IMPORTANT! Please complete sections A, B and C of this form**

**SECTION A**

Owner details – Owner name		Owner ID (ABN, ABN/CAC or CCID)		Owner reference		Biosecurity inspection location	
Contact details – Owner phone		Owner fax ( )		Owner email			
Home ( )		Work ( )		Mobile			
Destination port code		Invoice term type		Valuation date		Header valuation advice number	
						EFT payment indicator (Please tick one only) YES <input type="checkbox"/> NO <input type="checkbox"/>	

**PAID UNDER PROTEST INDICATOR** You MUST attach a statement of the reason/s for protesting the payment of duty.

**AMBER STATEMENT/REASON:** If you are uncertain about information included in the declaration, or omission of information from that declaration, and consider that as a result the declaration may be false or misleading in a material particular, you must specify the reason/s for that uncertainty. (Must be included as an attachment)

**DECLARATION**  
I, \_\_\_\_\_ \*the owner of the goods/agent  
of the owner hereby acknowledge that this import declaration of \_\_\_\_\_ pages is true and correct.

Signature of \*the owner of the goods/agent of the owner \_\_\_\_\_  
(\*Delete which is not applicable) \_\_\_\_\_ Date \_\_\_\_\_

Valuation elements type	Amount	Currency
a. Invoice total		
b. Overseas freight		
c. Overseas insurance		
d. Packing costs		
e. Foreign inland freight		
f. Landing charges		
g. Transport and insurance		
Free on board		
Cost insurance and freight		

**Import declaration (N10) – Transport details**

**SECTION B** Please complete the section relevant to the mode of transport for your goods along with the delivery address details.

<b>AIR</b>		Airline code	Loading port	First arrival port
Mode of transport	Discharge port	First arrival date	Gross weight	Gross weight unit
Line details	Line number	Master Air Waybill number	House Air Waybill number	Number of packages
				Marks and numbers description

OR

<b>SEA</b>		Vessel name	Vessel ID	Voyage number	Loading port
Mode of transport	First arrival port	Discharge port	First arrival date	Gross weight	Gross weight unit
Line details	Line number	Cargo type	Container number	Ocean bill of lading number	House bill of lading number
				Number of packages	Marks and numbers description

OR

<b>POST</b>		Loading port	Discharge port	First arrival date	First arrival date
Mode of transport	Parcel post card number(s)	Gross weight	Gross weight unit	Number of packages	Number of packages

OR

<b>OTHER</b>		Department receipt for goods number	Number of packages	Loading port	First arrival port
Mode of transport	Discharge port	First arrival date	Gross weight	Gross weight unit	Gross weight unit

**DELIVERY ADDRESS**  
**IMPORTANT!**  
 Please complete delivery address details

Name		Address	
Locality	State	Postcode	Country
			<b>AUSTRALIA</b>
			Contact phone number

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## Import declaration (N10) – Tariff details


### SECTION C

Line number	Supplier ID (CCID/ABN)		Vendor ID (ABN/ARN)		Stat. code	
Supplier name	Treatment code		Establishment code		Stat. code	
Related transaction indicator (Please tick)	Valuation basis type		GST exemption code		Permit number	
Goods description	Quantity		Unit		Permit number	
Valuation elements	Type	Amount	Currency	Origin and preference	Origin country	Preference scheme type
	Price			Treatment instruments	Instrument type	Preference rule type
				Tariff classification instruments	Instrument type	Instrument number
Additional information						
Producer code						

Line number	Supplier ID (CCID/ABN)		Vendor ID (ABN/ARN)		Stat. code	
Supplier name	Treatment code		Establishment code		Stat. code	
Related transaction indicator (Please tick)	Valuation basis type		GST exemption code		Permit number	
Goods description	Quantity		Unit		Permit number	
Valuation elements	Type	Amount	Currency	Origin and preference	Origin country	Preference scheme type
	Price			Treatment instruments	Instrument type	Preference rule type
				Tariff classification instruments	Instrument type	Instrument number
Additional information						
Producer code						

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## Annexure 9 – N10 Import Declaration (Post)



**Australian Government**  
**Department of Home Affairs**

### Import Declaration (N10) - Post

APPROVED FORM SECTION 71K AND APPROVED STATEMENT SECTION 71L OF THE CUSTOMS ACT 1901

**Import Declaration ID**  
(Official use only)

**NOTICE:** The following information, including personal information, is required to be reported under sections 71K and 71L of the *Customs Act 1901* in order to ensure that your goods are properly cleared for delivery into home consumption. Information provided on this form may be disclosed to other agencies, including the Department of Agriculture and Water Resources, the Australian Bureau of Statistics and the Australian Taxation Office. If you are required to hold a permit to import these goods, the permit details will also be given to the relevant permit issuing agency. Any false or misleading statements may result in penalty action under section 243T or 243U of the *Customs Act 1901*. Personal information is collected, used, stored and disclosed by the Department of Home Affairs (the Department) in accordance with the Australian Privacy Principles in schedule 1 of the *Privacy Act 1988*. Further information regarding how the Department collects, stores, uses and discloses personal information may be found in form 1442 *Privacy notice* available at [www.homeaffairs.gov.au/forms/documents/1442.pdf](http://www.homeaffairs.gov.au/forms/documents/1442.pdf). More information about how the Department handles personal information can be found in the Department's Privacy Policy at [www.homeaffairs.gov.au/about/access-accountability/plans-policies-charters/policies/privacy](http://www.homeaffairs.gov.au/about/access-accountability/plans-policies-charters/policies/privacy).

**HOW TO FILL IN THIS FORM:** Instructions on how to complete this form are available from [www.homeaffairs.gov.au](http://www.homeaffairs.gov.au).

**PLEASE NOTE!** When submitting this form by fax, mail or by hand, you must sign the declaration (below). When sent by email, follow the requirements at the bottom of this form.

Please open this form using Adobe Acrobat Reader. Either type in the fields provided or print this form and complete it using a pen and BLOCK LETTERS.

**OWNER / RECIPIENT DETAILS** Provide at least one phone, email or fax contact — you must supply all (except fax) if available

First name:	Last name (or Organisation):
Address:	
Phone:	
Mobile:	
Fax:	
State:	Postcode:
Client identity reference (ABN/CAC or CCID IF KNOWN)	Email (if applicable):

**SENDER/SUPPLIER DETAILS** Provide the details of the person or organisation that sent or supplied the goods

First name:	Last name (or Organisation):
Address:	
Phone:	
Mobile:	
Fax:	
State:	Postcode:
Supplier identity reference (ABN/CCID IF KNOWN)	Vendor ID (ABN/ARN):

**PARCEL(S) INFORMATION** Provide the details about the mail reference number, country of origin, date of export or invoice, the weight and number of parcels

Mail reference (As per the Australia Post Notice you received. Reference MUST BEGIN with N, V, Q or W)	Total number of parcel(s):	Weight of parcel(s) (IF KNOWN):
		Kg
Country of origin (IF KNOWN):	Date of export or invoice:	

**PARCEL(S) CONTENTS** Provide a description of the goods, value of the goods, post and insurance costs, the tariff classification for the goods and GST Exemption Code

Description of the goods (one type of goods per line)	Tariff classification of the goods	Stat Code	Quantity	Value of goods	Concession (optional)	GST Exemption Code

There is additional space over the page if you have more than three different types of goods to declare.

Value of the postage and insurance <input type="checkbox"/> AS <input type="checkbox"/> US\$ <input type="checkbox"/> Other (please specify) \$	Total value of the goods <input type="checkbox"/> AS <input type="checkbox"/> US\$ <input type="checkbox"/> Other (please specify) \$
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**DECLARATION** I am 18 years of age or older and I declare the information provided above and on any attached pages is true and correct, to the best of my knowledge.

It is an offence under the <i>Customs Act 1901</i> to make a false declaration to the Department of Home Affairs.	Name: _____ Signature: _____	Date: ____/____/____
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No written signature is required when this declaration is sent by email:

- As an individual you must include your full name separately in the email; or
- For an organisation, you must include the Name and ABN of the organisation separately in the email and the full name of the individual sending the email.

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PARCEL(S) CONTENTS (cont.) Provide a description of the goods, value of the goods, post and insurance costs, the tariff classification for the goods and GST Exemption Code						
Description of the goods (one type of goods per line)	Tariff classification of the goods	Stat Code	Quantity	Value of goods	Concession (optional)	GST Exemption Code

**YOU MAY PROVIDE ADDITIONAL INFORMATION HERE**


**OFFICIAL USE ONLY**


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## Instructions How to fill in the form *Import Declaration (N10) Post*

Additional assistance is available online at [www.homeaffairs.gov.au](http://www.homeaffairs.gov.au)

Please type or print in BLOCK letters. Make your contact details clear to avoid delays

 Most of the information required for this declaration may be on the First Notice you received from Australia Post.

### OWNER / RECIPIENT DETAILS

# 1

**NAME** – You must tell us the First name and the Last name (or the Organisation name) of the owner or importer of the goods – that is – the person, company or organisation to whom the parcel/s is/are addressed.

**ADDRESS** – You must tell us the address to where the parcel/s is/are being sent (delivered).

**PHONE, MOBILE, FAX** – If you have a phone number (land line), a mobile phone number and/or an email address you must provide those contact details – If we cannot contact you that may create delays in clearing your goods. At least one contact number must be supplied.

**CLIENT IDENTITY REFERENCE** – If you have an *Australian Business Number* use that as your *Client Identity Reference* and include your *Client Activity Centre* number as well. (Example: 99 123 456 789 / 001); or

If you already have a *Customs Client ID (CCID)* number (refer to a previous receipt where you paid duty and/or Goods and Services Tax (GST) to the Commonwealth) you may use that number. If known, you must provide your ABN or CCID otherwise you may leave this field blank if you do not know your CCID number or have not previously received a CCID number.

### SENDER / SUPPLIER DETAILS

# 2

You must tell us the name and address of the person or company who sent the parcel/s to you. If you purchased goods from an internet auction site and you do not know the seller's address mark the address field with the seller information – for example – 'Ebay Seller US' or 'Ebay Seller Japan' – do not leave this section blank. If known, you must provide your supplier's CCID.

**VENDOR ID** – The Vendor ID is the entity's GST (or vendor) registration number, which is either an ATO Reference Number (ARN) or Australian Business Number (ABN).

### PARCEL(S) INFORMATION

# 3

**MAIL REFERENCE** – You must record the mail reference number here. You will find this reference number on the *Australia Post First Notice* at the top right of the page near the bar code. The reference number begins with N, Q, V or W. If you have more than one reference number, regarding parcels from the same supplier you can include those numbers in the additional information box on page 2 of the import declaration.

**COUNTRY OF ORIGIN** – If known, you must tell us the country of origin of the goods. Country of origin means the country where the goods were made, grown, produced, mined, etc which may not be the same country from which the goods were exported to Australia. If you do not know the country of origin mark this section as 'not known' – do not leave this section blank. (A reduction in the duty payable applies to certain countries of origin; no reduction will be applied if you have marked this section 'not known'.)

**DATE OF EXPORT or INVOICE** – you must tell us the date the parcel/s was/were posted from overseas (that date may be shown on the *Australia Post First Notice*). If you do not know the date of export please record the date of purchase shown on your invoice.

**WEIGHT OF PARCEL/S** – You must tell us the total weight of the parcel/s (it may be shown on the *Australia Post First Notice*). If you do not know the weight then mark this section 'not known' – do not leave this section blank. You must also tell us the number of parcels.

### PARCEL(S) CONTENTS

**DESCRIPTION OF GOODS** – You must be specific and describe the goods in a clear manner. For example, 12MP digital camera, a 92 cm digital television, a notebook computer, a silk and lace wedding dress. It is not acceptable to use terms like: gift, present, goods, equipment, gear, kit, donation and apparatus – if you use such terms there will be a delay in clearing your goods (see example below).

**CLASSIFICATION OF THE GOODS** – You must classify your goods in accordance with the *Customs Tariff Act 1995* (the Tariff). You may use the short Tariff (commonly imported items) included as part of the *Notice to Importers* provided by the Department of Home Affairs (the Department) (also at [www.homeaffairs.gov.au](http://www.homeaffairs.gov.au)). That notice tells you what you should do if you require assistance to classify your goods. You must provide the 8 digit Tariff number plus the 2 digit statistical code number. The tariff number determines the rate of duty that applies to your goods (see example below).

**QUANTITY** – You must tell us how much or how many of each item there is for each item you have listed (see example below) e.g. for wine 2.5L.

**VALUE OF GOODS** – You must tell us the true and correct value of the goods (that is the amount you paid for the goods) for each type of goods you have listed (see example below – 2 digital cameras at US\$700 ea.). The Department can demand to see your invoices or other evidence that shows what you paid. Do not provide values you know to be incorrect (even when those values are provided by the supplier). Undervaluing goods is an offence under the *Customs Act 1901*. Duty is calculated on this value.

Example

Description of the goods (one type of goods per line)	Tariff classification of the goods	Stat Code	Quantity	Value of goods	Concession (optional)	GST Exemption Code
DIGITAL CAMERA	8 5 2 5 8 0 1 9	1 9	2	1,400		

**CONCESSION (Optional)** – You may include information that will help determine the correct duty, GST and other taxes and charges. If you know an item number to Schedule 4 of the Tariff (or a by-law) that applies, you should record that information here. If you intend to claim that a free trade agreement applies, you need to state that here and you must record the 'country of origin' in the Parcel/s information section of the import declaration. You may be required to provide qualifying evidence for any concession you claim.

**GST EXEMPTION CODE (Optional)** – A GST exemption code of 'PAID' can be recorded to indicate when GST has been paid to the supplier on eligible goods with a customs value of \$1,000 or less. The GST-paid exemption code cannot be used for imports of tobacco, tobacco products and alcohol on goods with a customs value over \$1,000. Existing GST exemption codes should continue to be used, where applicable, for goods that are GST exempt.

**VALUE OF POSTAGE AND INSURANCE** – You must tell us the true and correct amount paid for posting the goods to you and the amount paid to insure the goods for carriage by post and you must indicate in what currency the amount was paid. GST is calculated by including the postage and insurance charges with the value and the duty payable.

**TOTAL VALUE OF THE GOODS** – You must tell us the total value of all the goods and in all cases; you must indicate in what currency the amount was paid, for example – \$1,400 in US dollars.

### DECLARATION

# 4

**DECLARATION** – You must sign the declaration if you intend to send it by fax or mail to the Department or deliver it by hand. No written signature is required if you send the completed declaration by email but the following information must be included separately in the same email.

- As an individual, you must include your full name; or
- For an organisation, you must include the Name and the ABN of the organisation and the full name of the individual sending the email.