



# Legal Framework in Single Window Development – The New Zealand Experience

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# Recommendation 35 Check list

- (a) Has the legal basis for the implementation of the Single Window facility been examined/established?
- (b) Has an appropriate organizational structure for the establishment and operation of a Single Window facility been chosen?
- (c) Are proper identification, authentication and authorization procedures in place?
- (d) Who has the authority to demand data from the Single Window?
- (e) When and how data may be shared and under what circumstances and with what organizations within the government or with government agencies in other countries and economies?
- (f) Have proper data protection mechanisms been implemented?
- (g) Are measures in place to ensure the accuracy and integrity of data? Who are the responsible actors?
- (h) Are liability issues that may arise as a result of the Single Window operation addressed?
- (i) Are there mechanisms in place for dispute resolution?
- (j) Are procedures in place for electronic archiving and the creation of audit trails?
- (k) Have issues of intellectual property and database ownership been addressed?
- (l) Are there any situations where competition issues may arise?

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Has the legal basis for the implementation of the Single Window facility been examined/established?

- March 2010 - a Cabinet paper was prepared seeking approval for the proposed legislative amendments in the Customs and Excise Amendment Bill. This Bill covers both Customs and MPI requirements.
- August 2010 - Cabinet agreed to further amendments to the Bill and that an information sharing framework be specified in the amendment. Also that planned information sharing between Customs and MPI be included.
- October 2010 - Customs briefs the Select Committee on the Bill. Select committees work on behalf of Cabinet and report their conclusions back to them.
- December 2010 - Bill has its second reading debate in Parliament. This follows a large number of recommended changes from the Select Committee.
- December 2011 - Support for a second Bill, the TSW bill, is sought to cover aspects of legislation not in the current Bill.

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Has an appropriate organizational structure for the establishment and operation of a Single Window facility been chosen?

- Formal agreements already exist between Customs and MPI viz MOUs etc.
- End User agreements? Considerable consultation but NZ has not entered into any formal agreements with Traders.
- Electronic messages to Customs has been mandated for a number of years prior to TSW.

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Are proper identification, authentication and authorization procedures in place?

- Present procedures are already in place
- Will be enhanced by the Customs and Excise Amendment Bill and the proposed TSW Bill 2014
- B2B Digital Certificates
- Unique Pin for Declarant
- Authentication string for Declaration
- Realme NZ Government login
- Online TSW Registration

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## Who has the authority to demand data from the Single Window?

- Customs and MPI
- Biosecurity Act 1993 addresses MPI requirements
- Privacy Act constraints apply.
- Official Information Act covers external requests for data.
- All will be combined in the proposed TSW Bill.
- Current legislation provides for interim sharing agreements until the TSW Bill is passed.

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When and how data may be shared and under what circumstances and with what organizations within the government or with government agencies in other countries and economies?

- Current processes already exist for Customs and other specified Parties. Electronic data submission and data sharing has been in practice for over 15 years.
- Other parties as specified in sections of the Customs and Excise Act e.g. Statistics NZ, MPI, etc.
- The proposed TSW Bill will further enhance data sharing for other Parties.

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Have proper data protection mechanisms been implemented?

- Single Window Security Analysis Team
- TSW Access Security Matrix
- Audit Logging

预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_6621](https://www.yunbaogao.cn/report/index/report?reportId=5_6621)

