



Customs (Prohibited Imports) Regulations 1956

Statutory Rules 1956 No. 90 as amended

made under the

Customs Act 1901

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**[Note: Regulation 9 in Table A ceases to have effect either at the end
of 31 December 2007 or at a time the Security Council so declares]**

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1 Name of Regulations [see Note 1]

These Regulations are the *Customs (Prohibited Imports) Regulations 1956*.

2 Interpretation

(1) In these Regulations, unless the contrary intention appears:

amphibole asbestos means asbestos in a form other than chrysotile.

asbestos means any of the following fibrous forms of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals:

- (a) actinolite asbestos;
- (b) amosite (brown asbestos);
- (c) anthophyllite asbestos;
- (d) chrysotile (white asbestos);
- (e) crocidolite (blue asbestos);
- (f) tremolite asbestos.

Australian Standard means a standard approved for publication on behalf of the Council of the Standards Association of Australia, being the association of that name incorporated by Royal Charter.

Australian Wool Exchange means the Australian Wool Exchange Limited ACN 061 495 565.

Australian Wool Exchange Standard means a standard published by the Australian Wool Exchange.

Australian Wool Research and Promotion Organisation Standard means a standard published by the Australian Wool Research and Promotion Organisation.

British Standard means a standard issued by the British Standards Institution established under Royal Charter.

CFC means a chlorofluorocarbon mentioned in Part 1 of Schedule 10, whether existing alone or in a mixture.

component of ammunition has the meaning given in subregulation 4F (4).

firearm has the meaning given in subregulation 4F (4).

firearm accessory has the meaning given in subregulation 4F (4).

firearm magazine has the meaning given in subregulation 4F (4).

firearm part has the meaning given in subregulation 4F (4).

flash point means the temperature at which petroleum and shale products (including kerosene) give off an inflammable vapor upon being tested by the Abel Pensky closed test apparatus.

HCFC means a hydrochlorofluorocarbon mentioned in Part 5 of Schedule 10, whether existing alone or in a mixture.

HFC means a substance mentioned in Part 9 of Schedule 10, whether existing alone or in a mixture.

Note HFC is short for hydrofluorocarbon.

human embryo clone has the meaning given by section 8 of the *Prohibition of Human Cloning Act 2002*.

IUPAC name means a designation attributed to a chemical by the International Union of Pure and Applied Chemistry, being a designation contained in International Standard ISO 1750 — 1981: Pesticides and Agrochemicals — Common Names, Published at Geneva by the International Standards Organisation in 1981.

kava means a plant of the species *Piper methysticum* or a preparation obtained from the plant or part of the plant.

PFC means a substance mentioned in Part 10 of Schedule 10, whether existing alone or in a mixture.

Note PFC is short for perfluorocarbon.

poppy straw means any part (other than the seeds) of the opium poppy (*Papaver somniferum*).

replica has the meaning given in subregulation 4F (4).

security sensitive ammonium nitrate means any of the following:

- (a) ammonium nitrate;
- (b) an emulsion that is made up of more than 45 per cent ammonium nitrate;
- (c) a mixture that is made up of more than 45 per cent ammonium nitrate;

but does not include ammonium nitrate in solution.

SGG means an HFC or a PFC.

Note 1 SGG is short for synthetic greenhouse gas.

Note 2 This definition is the same in substance as the definition of **SGG** in the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

the Act means the *Customs Act 1901*.

therapeutic substance means a substance, including a mixture or compound of substances, that has a therapeutic use and includes a surgical ligature, suture or dressing, but does not include a vaccine prepared from microscopic organisms from the body of a person or animal for use in the treatment of that person or animal only.

therapeutic use means a use for the purpose of:

- (a) the preventing, diagnosing, curing or alleviating of a disease, ailment, defect or injury in persons or animals;
- (b) the influencing, inhibiting or modifying of a physiological process in persons or animals; or
- (c) the testing of the susceptibility of persons or animals to a disease or ailment.

(2) For the purposes of regulations 5A and 5F:

- (a) each form of a therapeutic substance shall be taken to be a separate and distinct therapeutic substance;
- (b) if a therapeutic substance is manufactured according to two or more formulations — the substance manufactured according to a particular formulation shall be taken to be a different therapeutic substance from the substance manufactured according to the other or each other formulation; and

- (c) a therapeutic substance having a particular strength shall be taken to be a different therapeutic substance from the substance having a different strength.
- (3) For the purposes of these Regulations:
 - (a) a reference to a British Standard published on a date specified in these Regulations shall be read as a reference to such British Standard published by the British Standards Institution on that date; and
 - (b) where a British Standard refers to another instrument, that instrument shall be deemed to be incorporated with, and form part of, the British Standard.
 - (4) For the purposes of these Regulations:
 - (a) a reference to an Australian Standard, or a Part of an Australian Standard, published on a date specified in these Regulations shall be read as a reference to the Australian Standard, or the Part of an Australian Standard, as the case requires, approved for publication on that date; and
 - (b) where an Australian Standard refers to another instrument, that instrument shall be deemed to be incorporated with, and form part of, the Australian Standard.
 - (5) For the purposes of these Regulations:
 - (a) a reference to an Australian Wool Exchange Standard published on a date specified in these Regulations is taken to include a reference to the Australian Wool Exchange Standard approved for publication on that date; and
 - (b) if an Australian Wool Exchange Standard refers to another instrument, that instrument is taken to be incorporated with, and form part of, the Australian Wool Exchange Standard.

viable material means living tissue and cells.

3 Goods the importation of which is prohibited absolutely

- (1) The importation of goods specified in Schedule 1 is prohibited absolutely.

3AA Importation of devices and documents relating to suicide

- (1) The importation of a device designed or customised to be used by a person to commit suicide, or to be used by a person to assist another person to commit suicide, is prohibited absolutely.
- (2) The importation of the following documents is prohibited absolutely:
 - (a) a document that promotes the use of a device mentioned in subregulation (1);
 - (b) a document that counsels or incites a person to commit suicide using one of those devices;
 - (c) a document that instructs a person how to commit suicide using one of those devices.

3A Criteria for the purposes of provisions of regulations 4 and 4F relating to defence forces of certain overseas countries

The criteria in relation to goods mentioned in subregulations 4 (1AAA) and 4F (2) are that the goods:

- (a) are goods the owner of which is the defence force of any of the following countries:
 - (i) Brunei Darussalam;
 - (ii) Canada;
 - (iii) Malaysia;
 - (iv) New Zealand;
 - (v) Papua New Guinea;
 - (vi) the Kingdom of Cambodia;
 - (vii) the Kingdom of Thailand;
 - (viii) the Republic of Fiji;
 - (ix) the Republic of Indonesia;
 - (x) the Republic of the Philippines;
 - (xi) the Republic of Singapore;
 - (xii) the United Kingdom;
 - (xiii) the United States of America;

- (xiv) Tonga;
- (xv) in the case of goods:
 - (A) that are being imported into Australia from East Timor; and
 - (B) that have been used, or were intended for use, in East Timor for the purposes of an operational multinational force established by a United Nations Security Council Resolution for the purpose of directly providing aid to East Timor; and
 - (C) that are intended to be exported from Australia to a country that is contributing to the force;the country that is contributing to the force;
- (xvi) in the case of goods:
 - (A) that are being imported into Australia from a country that is contributing to an operational multinational force established by a United Nations Security Council Resolution for the purpose of directly providing aid to East Timor; and
 - (B) that are intended to be exported to East Timor, and are intended for use for the purposes of the force;the country that is contributing to the force; and
- (b) have been imported into Australia by:
 - (i) the defence force that is the owner of the goods; or
 - (ii) a member of that defence force to whom the goods have been issued.

3B Criteria for the purposes of provisions of regulations 4 and 4F relating to police forces of certain overseas countries

The criteria in relation to goods mentioned in subregulations 4 (1AAB) and 4F (2A) are that the goods:

- (a) are goods the owner of which is:
 - (i) in the case of goods:

- (A) that are being imported into Australia from East Timor; and
- (B) that have been used, or were intended for use, in East Timor for the purposes of an operational multinational force established by a United Nations Security Council Resolution for the purpose of directly providing aid to East Timor; and
- (C) that are intended to be exported from Australia to a country that is contributing to the force;

a police force of the country that is contributing to the force; and

- (ii) in the case of goods:

- (A) that are being imported into Australia from a country that is contributing to an operational multinational force established by a United Nations Security Council Resolution for the purpose of directly providing aid to East Timor; and
- (B) that are intended to be exported to East Timor, and are intended for use for the purposes of the force;

a police force of the country that is contributing to the force; and

- (b) have been imported into Australia by:

- (i) the police force that is the owner of the goods; or
- (ii) a member of that police force to whom the goods have been issued.

3C Criteria for the purposes of provisions of regulations 4 and 4F relating to air security officers

- (1) The criteria for goods mentioned in subregulations 4 (1AAC) and (3) and 4F (2B) are that:
 - (a) the goods are imported into Australia on an aircraft by an air security officer while carrying out his or her duties; and

- (b) there is an arrangement between the foreign government employing the air security officer and the Government of Australia providing for the importation of the goods into Australia on aircraft by air security officers; and
- (c) immediately after the goods are imported, the air security officer surrenders the goods to an authorised officer for secure storage until the goods are exported in accordance with paragraph (d); and
- (d) within 3 months after the goods were imported into Australia, they are exported from Australia.

(2) In this regulation:

air security officer means a person who is employed and trained by a foreign government to travel on an aircraft to provide security for the aircraft and its passengers and crew, but does not include a person who is employed to provide exclusive personal protection for 1 or more specific people travelling on the aircraft (for example, personal bodyguards).

authorised officer means an officer authorised in writing by the CEO to be an authorised officer for this regulation.

4 Goods the importation of which is prohibited unless conditions or restrictions are complied with

(1) Subject to subregulations (1AAA), (1AAB) and (1AAC), the importation into Australia of the goods specified in Schedule 2 is prohibited unless the permission in writing of the Minister or an authorised person to import the goods has been granted.

(1AAA) Subregulation (1) does not apply to goods that:

- (a) are specified in item 8, 9, 12, 13, 14, 18D, 19, 19A, 21, 23 or 29A of Schedule 2; and
- (b) meet the criteria set out in regulation 3A.

(1AAB) Also, subregulation (1) does not apply to goods that:

- (a) are specified in item 29A of Schedule 2; and
- (b) meet the criteria set out in regulation 3B.

(1AAC) Also, subregulation (1) does not apply to goods that:

- (a) are specified in item 9, 12, 13, 14, 18D, 19, 19A, 21, 23, 29A, 35, 36, 37, 38, 42 or 47 of Schedule 2; and
 - (b) meet the criteria mentioned in subregulation 3C (1).
- (1AA) Where, in relation to an application for a permission under subregulation (1), an authorised person has formed an opinion that the permission should not be granted, the authorised person is to refer the application to the Minister.
- (1AB) Where an application has been referred to the Minister in accordance with subregulation (1AA), the Minister may grant, or refuse to grant, the permission.
- (1AC) In subregulations (1) and (1AA), *authorised person* means a person authorised in writing by the Minister for the purposes of this subregulation.
- (1A) A permission granted for the purposes of subregulation (1) or (1AB) may specify conditions or requirements to be complied with by the holder of the permission and may, in respect of any such condition or requirement, specify the time, being a time either before or after the importation of the goods to which the permission relates, at or before which the condition or requirement is to be complied with by the holder of the permission.
- (2) The importation into Australia of the goods specified in the second column of Schedule 3 is prohibited unless the conditions, restrictions or requirements specified in the third column of that Schedule opposite to the description of the goods are complied with.
- (3) However, subregulation (2) does not apply to goods that:
- (a) are specified in item 1 or 1A of Schedule 3; and
 - (b) meet the criteria mentioned in subregulation 3C (1).

4A Importation of objectionable goods

- (1) In this regulation, unless the contrary intention appears:
- computer game* means a computer program and associated data capable of generating a display on a computer monitor,

television screen, liquid crystal display or similar medium that allows the playing of an interactive game.

computer generated image means an image (including an image in the form of text) produced by use of a computer on a computer monitor, television screen, liquid crystal display or similar medium from electronically recorded data.

film includes a cinematograph film, a slide, video tape and video disc and any other form of recording from which a visual image, including a computer generated image, can be produced, but does not include a computer game.

interactive game means a game in which the way the game proceeds and the result achieved at various stages of the game is determined in response to the decisions, inputs and direct involvement of the player.

publication means any book, paper, magazine, film, computer game or other written or pictorial matter.

- (1A) This regulation applies to publications and any other goods, that:
- (a) describe, depict, express or otherwise deal with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that they should not be imported; or
 - (b) describe or depict in a way that is likely to cause offence to a reasonable adult, a person who is, or who appears to be, a child under 18 (whether the person is engaged in sexual activity or not); or
 - (c) in relation to a computer game — are unsuitable for a person under 18 to see or play; or
 - (d) promote, incite or instruct in matters of crime or violence; or
 - (e) promote or incite the misuse of a drug specified in Schedule 4.
- (2) The importation of goods to which this regulation applies is prohibited unless a permission, in writing, to import the goods has been granted by the Attorney-General or a person

authorized by the Attorney-General for the purposes of this subregulation.

- (2AA) In considering whether to grant a permission under subregulation (2), the Attorney-General or the person authorised by the Attorney-General is to have regard to:
- (a) the purposes for which the goods are to be imported; and
 - (b) the extent to which the person to whom any permission to import the goods would be granted conducts activities of an artistic or educational, or of a cultural or scientific, nature to which the goods relate; and
 - (c) the reputation of the person referred to in paragraph (b), both generally and in relation to an activity referred to in that paragraph; and
 - (d) the ability of that person to meet conditions that may be imposed under subregulation (3) in relation to the goods; and
 - (e) any other relevant matters.
- (2A) The Attorney-General may, by instrument in writing, appoint a person to be an authorized person for the purposes of subregulation (2).
- (3) A permission under this regulation shall be subject to such conditions imposing requirements or prohibitions on the person to whom the permission is granted with respect to the custody, use, reproduction, disposal, destruction or exportation of the goods, or with respect to accounting for the goods, as the Attorney-General or a person authorized by the Attorney-General for the purposes of subregulation (2) thinks necessary to ensure that the goods are not used otherwise than for the purpose for which he grants the permission.
- (4) Application may be made to the Administrative Appeals Tribunal for review of a decision of the Attorney-General under subregulation (2):
- (a) refusing to grant a permission; or
 - (b) granting a permission subject to conditions by the person to whom the permission was granted subject to conditions.

- (5) The Attorney-General may certify in writing that in his or her opinion it is in the public interest that responsibility for a permission or a refusal of a permission specified in the certificate should reside solely with the Attorney-General and should not be reviewable by the Administrative Appeals Tribunal.
- (6) The Attorney-General is to give a copy of a certificate to the person to whom permission was refused or given subject to conditions under subregulation (4).
- (7) A certificate must include a statement of the grounds on which the certificate is issued.
- (8) While a certificate is in force in relation to a permission or a refusal of a permission, subregulation (4) does not apply to that permission or refusal.
- (9) The Attorney-General is to cause a copy of a certificate to be laid before each House of the Parliament within 15 sitting days of that House after the day on which the certificate is issued.
- (10) Subject to subregulation (6), if the Attorney-General:
 - (a) refuses to grant a permission to a person; or
 - (b) grants a permission to a person subject to conditions;he or she is to inform the person of the decision by notice in writing within 30 days after making the decision.
- (11) A notice under subregulation (10) must include:
 - (a) a statement to the effect that application may be made to the Tribunal under the *Administrative Appeals Tribunal Act 1975* for review of the decision to which the notice relates; and
 - (b) except where subsection 28 (4) of that Act applies — a statement to the effect that a person who is entitled to apply to the Tribunal for review of the decision may, under section 28 of that Act, request a statement that includes the reasons for the decision.
- (12) A contravention of subregulation (11) in relation to a decision does not affect the validity of the decision.

4AB Importation of polychlorinated biphenyls, terphenyls etc

- (1) This regulation applies to the following goods:
 - (a) substances obtained by chlorinating biphenyls;
 - (b) goods containing substances obtained by chlorinating biphenyls;
 - (c) substances obtained by chlorinating terphenyls or other polyphenyls; and
 - (d) goods containing substances obtained by chlorinating terphenyls or other polyphenyls.
- (2) The importation into Australia of goods to which this regulation applies is prohibited unless a permission, in writing, to import the goods has been granted by the Minister.
- (3) A permission under this regulation shall be subject to such conditions imposing requirements or prohibitions on the person to whom the permission is granted with respect to the custody, use, disposal or destruction of the goods, or with respect to accounting for the goods, as the Minister thinks necessary to ensure that the goods are not used otherwise than for the purpose for which he grants the permission.

4B Importation of fish

- (1) In this regulation *fish* includes all species of bony fish, sharks, rays, crustaceans, molluscs and other marine organisms, but does not include marine mammals or marine reptiles.
- (2) This regulation applies to fish, other than fish that are, by virtue of section 131A of the Act, not subject to the control of the Customs, that:
 - (a) have been taken in waters beyond the outer limits of the *Australian fishing zone* within the meaning of the *Fisheries Management Act 1991*; and
 - (b) have not been landed at a port or place in a country outside Australia;whether the fish are fresh, smoked, preserved in airtight containers or frozen.

- (2A) Despite subregulation (2), this regulation does not apply to fish to which regulation 4BA applies.
- (3) The importation of fish, or of parts of fish, to which this regulation applies is prohibited unless the importer produces to the Collector the permission, in writing, of the Minister administering the *Fisheries Management Act 1991*.

4BA Importation of goods specified in Schedule 3A (toothfish)

- (1) This regulation applies to fish of a species specified in Schedule 3A (except fish that are, by virtue of section 131A of the Act, not subject to the control of Customs), whether fresh, frozen, smoked, preserved in airtight containers or in any other form.
- (2) The importation into Australia of fish, or of parts of fish, to which this regulation applies is prohibited unless:
 - (a) a permission in writing to import the fish has been granted by the Minister or an authorised officer; and
 - (b) the permission is produced to the Collector.
- (3) If, on an application for a permission under subregulation (2), an authorised officer forms an opinion that the permission should not be granted:
 - (a) the authorised officer must refer the application to the Minister; and
 - (b) the Minister may grant, or refuse to grant, the permission.
- (4) A permission may specify:
 - (a) conditions or requirements to be complied with by the holder of the permission; and
 - (b) when the holder must comply with a condition or requirement, whether before or after the importation of the fish to which the permission relates.
- (5) If the holder of a permission does not comply with a condition or requirement of the permission, the Minister, by writing, may revoke the permission.

- (6) The Minister may revoke a permission under subregulation (5) whether or not the holder of the permission is charged with an offence under subsection 50 (4) of the Act for not complying with the condition or requirement.
- (7) In this regulation:
- authorised officer** means an officer within the meaning of subsection 4 (1) of the *Fisheries Management Act 1991* who is authorised by the Minister, in writing, for the purposes of this regulation.
- Minister** means the Minister administering the *Fisheries Management Act 1991*.

4C Importation of asbestos

- (1) The importation into Australia of amphibole asbestos, or goods containing amphibole asbestos, is prohibited unless:
- (a) the importation is of raw materials that contain naturally occurring traces of amphibole asbestos; or
 - (b) the Minister administering the *Occupational Health and Safety (Commonwealth Employment) Act 1991* or a person authorised by that Minister confirms that he or she has granted permission to import the amphibole asbestos or goods, and the confirmation is produced to a Collector; or
 - (c) the importation is of hazardous waste as defined in section 4 of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*.
- (2) For paragraph (1) (b), the Minister or authorised person may grant permission to import the amphibole asbestos or goods.
- (3) The importation into Australia of chrysotile, or goods that contain chrysotile, is prohibited unless:
- (a) the chrysotile is, or the goods are, hazardous waste as defined in section 4 of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*; or
 - (b) an authority of a State or Territory confirms that the proposed use of the chrysotile or goods is in accordance with the State or Territory law relating to occupational health and safety; or

- (c) the Safety, Rehabilitation and Compensation Commission confirms that it has granted an exemption under the *Occupational Health and Safety (Commonwealth Employment) (National Standards) Regulations 1994* for the use of the chrysotile or goods; or
 - (d) the Seafarers Safety, Rehabilitation and Compensation Authority confirms that it has granted an exemption under the *Occupational Health and Safety (Maritime Industry) (National Standards) Regulations 2003* for the use of the chrysotile or goods; or
 - (e) the Minister administering the *Occupational Health and Safety (Commonwealth Employment) Act 1991* or a person authorised by that Minister confirms that he or she has granted permission to import the chrysotile or goods; or
 - (f) the chrysotile is, or the goods are, being imported from the Australian Antarctic Territory; or
 - (g) the goods are raw materials that contain naturally occurring traces of chrysotile.
- (5) For paragraphs (3) (b), (c) and (d):
- (a) both:
 - (i) the confirmation must state that the chrysotile is, or goods are, for a use mentioned in Schedule 3B; and
 - (ii) the chrysotile or goods must be imported on or before the date mentioned in Schedule 3B for that use; or
 - (b) the confirmation must state that the chrysotile is, or goods are for research, analysis or display.
- (6) For paragraph (3) (e), the Minister or authorised person may grant permission to import chrysotile or goods only if he or she is satisfied that the chrysotile is, or goods are, for research, analysis or display.
- (7) For paragraphs (3) (b), (c), (d) and (e), a copy of the confirmation must be produced to a Collector.

4D Importation of unmanufactured tobacco leaf

- (1) The importation into Australia of unmanufactured tobacco leaf mentioned in subheading 2401.10.00 of Schedule 3 to the *Customs Tariff Act 1995* is prohibited unless:
 - (a) the person importing the leaf is the holder of:
 - (i) a dealer licence granted under Part IV of the *Excise Act 1901*; or
 - (ii) a manufacturer licence, to manufacture excisable tobacco or tobacco products, granted under Part IV of the *Excise Act 1901*; and
 - (b) a permission in writing to import the leaf has been given by the Commissioner of Taxation; and
 - (c) the permission is produced to a Collector.
- (2) An application for a permission must be:
 - (a) in writing; and
 - (b) lodged with the Commissioner.
- (3) An applicant for a permission must give the Commissioner in writing any information the Commissioner reasonably requires for the application.
- (4) In deciding whether to grant a permission, the Commissioner:
 - (a) must consider the applicant's compliance with the *Excise Act 1901*; and
 - (b) may consider any other relevant matters.
- (5) A permission may specify:
 - (a) conditions to be complied with by the holder of the permission; and
 - (b) when the holder of the permission must comply with a condition, whether before or after the importation of the leaf to which the permission relates.
- (6) If the holder of a permission does not comply with a condition of the permission, the Commissioner may, by writing, revoke the permission.
- (7) Subregulations (8) and (9) apply if the Commissioner decides:
 - (a) not to grant a permission; or

- (b) to specify a condition for a permission; or
 - (c) to revoke a permission.
- (8) The Commissioner must give the applicant written notice of the decision as soon as practicable after making the decision.
- (9) A person who is dissatisfied with the decision may object against it in the manner set out in Part IVC of the *Taxation Administration Act 1953*.
- Note* Part IVC of the *Taxation Administration Act 1953* applies if a provision of regulations provides that a person who is dissatisfied with a decision may object against it in the manner set out in the Part: see section 14ZL of that Act.
- (10) A current consent given by the Treasurer under item 2 of Schedule 3 as in force immediately before the commencement of this provision is taken to be a permission granted by the Commissioner, subject to any conditions to which the consent was subject.

4E Importation of glazed ceramic ware

- (1) The importation into Australia of an article of glazed ceramic ware of a kind normally used for or in connexion with the storage or consumption of food is prohibited if the article is an article of a kind specified in an item in Schedule 7 and, when tested with the prescribed solution in accordance with the method specified in that item (in column 3), releases to the solution lead or cadmium in an amount per volume of solution in excess of the amounts of lead and cadmium per volume of solution respectively specified in that item (in columns 4 and 5).
- (2) For the purposes of subregulation (1), the prescribed solution is a solution consisting of four per centum by volume of glacial acetic acid in water, being water that conforms with British Standard 3978 published on 18 February 1966.

4F Importation of firearms, firearm accessories, firearm parts, firearm magazines, ammunition, components of ammunition and replicas

- (1) Subject to subregulations (2), (2A) and (2B), the importation of a firearm, a firearm accessory, a firearm part, a firearm magazine, ammunition, a component of ammunition or a replica is prohibited unless:
 - (a) the firearm, firearm accessory, firearm part, firearm magazine, ammunition, a component of ammunition or a replica is an article to which an item in Part 2 of Schedule 6 applies; and
 - (b) the importation is in accordance with the requirements set out in column 3 of the item.
- (2) Subregulation (1) does not apply to the importation of a firearm, a firearm accessory, a firearm part, a firearm magazine, ammunition, a component of ammunition or a replica that meets the criteria set out in regulation 3A.
- (2A) Also, subregulation (1) does not apply to the importation of:
 - (a) a handgun that:
 - (i) is mentioned in column 2 in item 9 of Part 2 of Schedule 6; and
 - (ii) meets the criteria set out in regulation 3B; or
 - (b) a handgun part:
 - (i) to which item 10 of Part 2 of Schedule 6 applies; and
 - (ii) that meets the criteria set out in regulation 3B; or
 - (c) ammunition that:
 - (i) is mentioned in column 2 in item 20 of Part 2 of Schedule 6; and
 - (ii) meets the criteria set out in regulation 3B.
- (2B) Also, subregulation (1) does not apply to the importation of a firearm, a firearm accessory, a firearm part, a firearm magazine, ammunition, a component of ammunition or a replica that meets the criteria mentioned in subregulation 3C (1).

(3) The importation of a firearm, a firearm accessory, a firearm part, a firearm magazine, ammunition, a component of ammunition or a replica is subject to the conditions (if any), set out in Part 3 (other than item 1) of Schedule 6, that relate to the importation.

(4) In this regulation:

component of ammunition means a projectile, cartridge casing or primer designed or adapted for use in ammunition.

deactivated firearm means an article that:

- (a) was in a condition in which it could discharge shot, bullets or other projectiles by means of an explosive charge or a compressed gas; and
- (b) has been rendered incapable of discharging shot, bullets or other projectiles by means of an explosive charge or a compressed gas; and
- (c) cannot be returned to a condition in which it could discharge shot, bullets or other projectiles by means of an explosive charge or a compressed gas; and
- (d) still has the appearance of a firearm, and could reasonably be taken to be a firearm.

Note A firearm can be deactivated to the extent that it is incapable of being returned to its original firing condition, while keeping the appearance of a firearm.

For the article to be incapable of being returned to its original firing condition, all major parts of the article must be destroyed, permanently incapacitated or permanently immobilised. This includes (but is not limited to) the bolt, barrel, gas system, receiver, trigger, sear or hammer, feed pawls and actuating arm or arms. This can be done:

- (a) by **fusion welding**, which is welding material into the barrel, and welding of all the major parts of the firearm, in a way that cannot be reversed; or
- (b) by **sectioning**, which is the machining or milling of all the major parts of the firearm in a way that cannot be reversed, exposing the internal mechanism; or
- (c) another method of treating the major parts that ensures that the parts are deactivated to the extent that the firearm is incapable of being returned to its original firing condition.

firearm:

- (a) means a device designed or adapted to discharge shot, bullets or other projectiles by means of an explosive

charge or a compressed gas, whether that device is fitted with a magazine or other feeding device designed to be used with it or not; and

- (b) includes a deactivated firearm; and
- (c) does not include the following devices:
 - (i) a nailing or stapling gun;
 - (ii) an explosive-powered fixing tool;
 - (iii) a flare gun, or other signalling device, designed for emergency or life-saving purposes;
 - (iv) a line-thrower;
 - (v) a hand-operated device that uses blank cartridges to propel objects for retrieval in connection with the training of dogs;
 - (vi) a tranquilliser gun;
 - (vii) a gun that operates a captive bolt for the slaughter of animals;
 - (viii) a device for the casting of weighted nets;
 - (ix) an underwater powerhead;
 - (x) large calibre armament, weapons, launchers, throwers and projectors, designed for grenades, bombs, rockets or any other missile, ammunition or substance, to which item 8 of Schedule 2 applies;
 - (xi) a sidewall core gun designed for geological purposes, mining purposes, or both;
 - (xii) an expandable casing perforation gun designed for geological purposes, mining purposes, or both.

firearm accessory means any of the following devices:

- (a) a silencer designed or intended for use with a firearm;
- (b) a device designed to modify a firearm so as to give it a rapid fire capability;
- (c) a device capable of converting a firearm to fire in a fully automatic condition;
- (d) a folding stock;
- (e) a detachable stock;
- (f) a telescopic stock;
- (g) a collapsible stock.

firearm magazine means a magazine designed or intended for use with a firearm.

firearm part, for a firearm, means any of the following items:

- (a) a gas piston, friction assembly, action bar, breech bolt or breech block;
- (b) a firearm barrel;
- (c) an assembled trigger mechanism;
- (d) a receiver;
- (e) something, other than a complete firearm, that includes 1 or more of these items.

Note The effect of the definition is that some items used in a firearm are not treated as 'firearm parts' by themselves, including the following items:

- (a) a firearm accessory, a firearm magazine or ammunition;
- (b) a screw, spring, or other minor component, of a firearm.

replica means an article, of any material or colour:

- (a) that:
 - (i) is a copy or reproduction of a firearm; or
 - (ii) has the appearance of a firearm; and
- (b) that is not capable of discharging shot, bullets or other projectiles by means of an explosive charge or a compressed gas; and
- (c) that could reasonably be taken to be a firearm.

4K Importation of woolpacks and woolpack caps

- (1) Subject to this regulation, the importation into Australia of woolpacks or woolpack caps is prohibited unless permission in writing to import the woolpacks or woolpack caps, as the case may be, for a specified purpose has been granted by the Minister for Agriculture, Fisheries and Forestry or an authorised person.
- (2) A permission under this regulation may be subject to conditions imposing requirements or prohibitions on the person to whom the permission is granted with respect to the custody, use, disposal or destruction of the woolpacks or woolpack caps, as the case may be, for the purpose of ensuring that the

woolpacks or woolpack caps are not used otherwise than for the purpose in relation to which the permission is granted.

- (3) Subregulation (1) does not apply in relation to unused woolpacks consisting of high density polyethylene for which:
 - (a) there is produced to the Collector, no later than 31 March 1996, a certificate issued by a prescribed testing authority stating that the woolpacks conform to Australian Wool Research and Promotion Organisation Standard No. 1 published on 10 February 1994; or
 - (b) there is produced to the Collector a certificate issued by a prescribed testing authority stating that the woolpacks conform to Australian Wool Exchange Standard No. 1 published on 1 January 1996.
- (4) Subregulation (1) does not apply in relation to unused woolpacks consisting of jute for which:
 - (a) there is produced to the Collector, no later than 31 March 1996, a certificate issued by a prescribed testing authority stating that the woolpacks conform to Australian Wool Research and Promotion Organisation Standard No. 2 published on 10 February 1994; or
 - (b) there is produced to the Collector a certificate issued by a prescribed testing authority stating that the woolpacks conform to Australian Wool Exchange Standard No. 2 published on 1 January 1996.
- (5) Subregulation (1) does not apply in relation to unused woolpacks consisting of multifilament nylon for which:
 - (a) there is produced to the Collector, no later than 31 March 1996, a certificate issued by a prescribed testing authority stating that the woolpacks conform to Australian Wool Research and Promotion Organisation Standard No. 3 published on 10 February 1994; or
 - (b) there is produced to the Collector a certificate issued by a prescribed testing authority stating that the woolpacks conform to Australian Wool Exchange Standard No. 3 published on 1 January 1996.
- (6) Subregulation (1) does not apply in relation to unused woolpack caps for which:

- (a) there is produced to the Collector, no later than 31 March 1996, a certificate issued by a prescribed testing authority stating that the woolpack caps conform to Australian Wool Research and Promotion Organisation Standard No. 4 published on 10 February 1994; or
 - (b) there is produced to the Collector a certificate issued by a prescribed testing authority stating that the woolpack caps conform to Australian Wool Exchange Standard No. 4 published on 1 January 1996.
- (7) Subregulation (1) does not apply in relation to unused premium grade woolpacks consisting of high density polyethylene for which:
- (a) there is produced to the Collector, no later than 31 March 1996, a certificate issued by a prescribed testing authority stating that the woolpacks conform to Australian Wool Research and Promotion Organisation Standard No. 5 published on 10 February 1994; or
 - (b) there is produced to the Collector a certificate issued by a prescribed testing authority stating that the woolpacks conform to Australian Wool Exchange Standard No. 5 published on 1 January 1996.
- (8) In this regulation:
- authorised person*** means an officer or employee of the Department of Agriculture, Fisheries and Forestry authorised in writing by the Minister for Agriculture, Fisheries and Forestry to grant a permission to import woolpacks or woolpack caps.
- prescribed testing authority*** means an Australian or overseas testing authority approved by the Minister for Agriculture, Fisheries and Forestry on the recommendation of:
- (a) the Australian Wool Exchange; or
 - (b) the Australian Wool Research and Promotion Organisation;
- for the purposes of this regulation.

4MA Importation of rough diamonds generally

- (1) In this regulation:

country includes an international organisation of states or a dependent territory of a country.

Interlaken Declaration means the Interlaken Declaration of 5 November 2002 on the Kimberley Process Certification Scheme for Rough Diamonds.

Kimberley Process means the international certification arrangement for rough diamonds adopted under the Interlaken Declaration.

Kimberley Process Certificate means a certificate that meets the minimum requirements for certificates specified in Part A of Annex 1 of the document known as the Kimberley Process Certification Scheme which accompanied the Interlaken Declaration.

original certificate means the original Kimberley Process Certificate mentioned in paragraph (2) (b).

Participant means a country that is a Participant in the Kimberley Process.

rough diamonds means diamonds that:

- (a) are unworked or simply sawn, cleaved or bruted; and
 - (b) are classified under heading 7102.10.00, 7102.21.00 or 7102.31.00 of Schedule 3 to the *Customs Tariff Act 1995*.
- (2) The importation of rough diamonds from a country is prohibited unless:
- (a) the country is a Participant; and
 - (b) the country has issued a Kimberley Process Certificate for the rough diamonds; and
 - (c) the original certificate is produced to a Collector at or before the time of importation; and
 - (d) the rough diamonds are imported in a tamper resistant container.
- (3) The importer must:
- (a) retain the original certificate for a period of 5 years after the time of importation; and
 - (b) produce the original certificate to an employee of the Department of Industry, Tourism and Resources if requested to do so within that period.

4N Importation of rough diamonds from Côte d'Ivoire

Despite regulation 4MA, the direct or indirect importation of rough diamonds from Côte d'Ivoire is prohibited absolutely, whether or not the diamonds originate from Côte d'Ivoire.

4P Importation of rough diamonds from Liberia

Despite regulation 4MA, the direct or indirect importation of rough diamonds from Liberia is prohibited absolutely, whether or not the diamonds originate from Liberia.

4Q Importation of round logs and timber products from Liberia

(1) In this regulation:

authorised person means an officer of the Department of Foreign Affairs and Trade authorised in writing by the Foreign Minister for this regulation.

Foreign Minister means the Minister for Foreign Affairs.

- (2) The importation of round logs and timber products that originate in Liberia is prohibited unless the written permission of the Foreign Minister or an authorised person is produced to a Collector at or before the time of importation.
- (3) When deciding whether to give permission under subregulation (2), the Foreign Minister or an authorised person must take into account:
- (a) Australia's relations with other countries; and
 - (b) Australia's obligations under international law.
- (4) A permission granted under subregulation (2) may specify, for the importation of round logs or timber products that it permits:
- (a) conditions or requirements, including times for compliance, to which the importation is subject; and
 - (b) the quantity of round logs or timber products that may be imported; and
 - (c) the circumstances in which the round logs or timber products may be imported.

- (5) The Foreign Minister may revoke or modify a permission granted under subregulation (2) if there are reasonable grounds for believing that:
- (a) a condition or requirement of the permission has not been complied with or, unless modified, is unlikely to be complied with; or
 - (b) permitting, or continuing to permit, the importation of goods in accordance with the permission would infringe the international obligations of Australia.

4R Importation of radioactive substances

- (1) In this regulation, unless the contrary intention appears:

authorised officer means:

- (a) the CEO of ARPANSA, within the meaning of section 14 of the *Australian Radiation Protection and Nuclear Safety Act 1998*, appointed in writing by the Minister as an authorised officer for this regulation; or
- (b) an APS employee assisting the CEO in accordance with section 58 of that Act appointed in writing by the Minister as an authorised officer for this regulation.

Minister means the Minister for Health and Ageing.

radioactive substance means any radioactive material or substance, including radium, any radioactive isotope or any article containing any radioactive material or substance.

- (2) The importation into Australia of a radioactive substance is prohibited unless:
- (a) a permission in writing to import the substance has been granted by the Minister or an authorised officer; and
 - (b) the permission is produced to a Collector.
- (3) Where, in relation to an application for a permission under subregulation (2), an authorised officer has formed an opinion that the permission should not be granted, the authorised officer shall refer the application to the Minister.
- (4) If an application has been referred to the Minister under subregulation (3), the Minister may grant, or refuse to grant, the permission.

- (5) A permission granted under subregulation (2) or (4) may specify conditions or requirements to be complied with by the holder of the permission and may, in respect of any such condition or requirement, specify a time (being a time before or after the importation of the goods to which the permission relates) at or before which the condition or requirement shall be complied with by the holder.
- (6) If the holder of a permission does not comply with a condition or requirement (if any) of the permission, the Minister may, by writing, revoke the permission.
- (7) The Minister may revoke a permission under subregulation (6) whether or not the holder of the permission is charged with an offence under subsection 50 (4) of the Act for not complying with the condition or requirement.

4S Importation of lighters

- (1) Subject to subregulation (2), the importation into Australia of a lighter is prohibited unless:
 - (a) the person importing the lighter has:
 - (i) completed a statutory declaration stating that a certificate of compliance, within the meaning of the American Standard, has been issued in accordance with that standard; and
 - (ii) produced that statutory declaration to the Collector;
or
 - (b) the Minister has granted a permission in writing for the lighter to be imported.
- (2) Subregulation (1) does not apply to a passenger, 18 years or older, importing no more than 5 lighters on a ship or aircraft.
- (3) A permission granted under paragraph (1) (b) may specify:
 - (a) the conditions or requirements to be complied with by the holder of the permission; and
 - (b) the time, being a time either before or after the importation of the goods to which the permission relates, at or before which the condition or requirement is to be complied with by the holder of the permission.

(4) If the holder of a permission granted under paragraph (1) (b) is required to comply with a condition or requirement and the holder of the permission fails to comply with the condition or requirement, the Minister may, by writing, revoke the permission.

(5) In this regulation:

American Standard means the Consumer Product Safety Standard for Cigarette Lighters (16 CFR 1210):

- (a) set out in Part 1210, Title 16 of the Code of Federal Regulations; and
- (b) published in the Federal Register of the United States of America, Vol 58, No. 131, on 12 July 1993.

Disposable lighter means a flame producing device that is designed:

- (a) to light cigarettes, cigars or pipes; and
- (b) to be discarded when its fuel supply is exhausted, or to incorporate a separate container of fuel that is designed to be discarded when empty.

lighter means a disposable lighter, novelty lighter or refillable lighter.

Minister means the Minister administering Division 1A of Part V of the *Trade Practices Act 1974*.

Note The latest Administrative Arrangements Order explains which Minister administers Division 1A of Part V of the *Trade Practices Act 1974*.

Novelty lighter means a flame producing device that is designed:

- (a) to light cigarettes, cigars or pipes; and
- (b) either:
 - (i) to have an entertaining audio or visual effect (other than producing a flame) (for example, playing musical notes or displaying flashing lights); or
 - (ii) to depict or resemble, in physical form or function, an article commonly recognised as appealing to, or intended to be used by, a young child (for example a cartoon character, drink, food, gun, musical instrument, toy, toy animal, vehicle or watch).

refillable lighter means a flame producing device that:

- (a) is designed to light cigarettes, cigars or pipes; and
- (b) is designed to be refilled with fuel; and
- (c) has a customs value, determined under section 159 of the *Customs Act 1901*, of \$5 or less.

4T Importation of counterfeit credit, debit and charge cards

- (1) The importation into Australia of a counterfeit credit, debit or charge card is prohibited unless:
 - (a) a permission in writing to import the card has been given by the Minister; and
 - (b) the permission is produced to a Collector.
- (2) A permission may specify:
 - (a) conditions or requirements to be complied with by the holder of the permission; and
 - (b) when the holder of the permission must comply with a condition or requirement, whether before or after the importation of the card to which the permission relates.
- (3) If the holder of a permission does not comply with a condition or requirement (if any) of the permission, the Minister may, by writing, revoke the permission.
- (4) In this regulation:
Minister means the Minister administering the *Australian Federal Police Act 1979*.

4U Importation of goods the subject of a permanent ban under the *Trade Practices Act 1974*

- (1) The importation into Australia of goods mentioned in Schedule 12 is prohibited unless:
 - (a) a permission in writing to import the goods has been given by the Minister; and
 - (b) the permission is produced to a Collector.
- (2) A permission may specify:

- (a) conditions to be complied with by the holder of the permission; and
 - (b) when the holder of the permission must comply with a condition, whether before or after the importation of the goods to which the permission relates.
- (3) If the holder of a permission does not comply with a condition of the permission, the Minister may, by writing, revoke the permission.
- (4) In this regulation:

Minister means the Minister administering Division 1A of Part V of the *Trade Practices Act 1974*.

Note The latest Administrative Arrangements Order explains which Minister administers Division 1A of Part V of the *Trade Practices Act 1974*.

4V Importation of Anzac goods

- (1) In this regulation:
- authorised officer** means an officer of the Department administered by the Minister authorised in writing by the Minister for the purposes of this regulation.
- Minister** means the Minister administering the *Anzac Day Act 1995*.
- (2) In this regulation, a reference to the word ‘Anzac’ includes a reference to a word so nearly resembling the word ‘Anzac’ as to be likely to deceive.
- (3) The importation into Australia of goods the description of which includes the word ‘Anzac’ or goods bearing the word ‘Anzac’, or advertising matter relating to those goods, is prohibited unless:
- (a) the person importing the goods is the holder of a written permission granted by the Minister or an authorised officer; and
 - (b) the permission or a copy of the permission is produced to the Collector at or before the time of importation.
- (4) An application for a permission under subregulation (3) must be in writing.

- (5) A permission under subregulation (3) may specify conditions or requirements to be complied with by the holder of the permission and may, for any such condition or requirement, specify the time, (being a time either before or after the importation of the goods to which the permission relates), at or before which the condition or requirement must be complied with by the holder of the permission.
- (6) If the holder of a permission does not comply with a condition or requirement (if any) of the permission, the Minister or an authorised officer may, by writing, revoke the permission.
- (7) The Minister or authorised officer may revoke a permission under subregulation (6) whether or not the holder of the permission is charged with an offence under subsection 50 (4) of the Act for not complying with the condition or requirement.

4W Importation of cat or dog fur

- (1) In this regulation:
 - authorised person* means a person authorised in writing by the Minister for this regulation.
 - cat fur* means the pelt or hair of an animal of the species *Felis catus*.
 - cat or dog fur product* means a product or other thing that consists, wholly or partly, of cat fur or dog fur.
 - dog fur* means the pelt or hair of an animal of the species *Canis familiaris*.
- (2) The importation into Australia of cat fur, dog fur or a cat or dog fur product is prohibited unless:
 - (a) permission to import the goods has been granted under subregulation (3) and is in force; and
 - (b) the permission is produced to the Collector.
- (3) The Minister, or an authorised person, may, on application, grant a permission, in writing, for the importation of cat fur, dog fur or a cat or dog fur product.
- (4) An application:
 - (a) must be in writing; and

- (b) must be lodged with the Minister or an authorised person.
- (5) The Minister, or an authorised person, may ask an applicant to give to the Minister or authorised person any information the Minister or authorised person may reasonably require for the purpose of making a decision in relation to the application.
- (6) In deciding whether to grant a permission, the Minister, or an authorised person, may take into account any matter that the Minister or authorised person considers relevant.
- (7) As soon as practicable after making a decision to grant, or not to grant, a permission, the Minister or authorised person must give written notice of the decision to the applicant.
- (8) A permission granted under subregulation (3):
 - (a) may specify conditions or requirements to be complied with by the holder of the permission; and
 - (b) for any such condition or requirement, may specify the time (being a time either before or after the importation of the goods to which the permission relates) at or before which the condition or requirement must be complied with by the holder of the permission.
- (9) The Minister, or an authorised person, may revoke a permission if the Minister or authorised person is satisfied that the holder has failed to comply with a condition or requirement of the permission.
- (10) If the Minister or an authorised person decides to revoke a permission, the Minister or authorised person must, as soon as practicable after making the decision, give written notice of the decision to the holder of the permission.
- (11) Application may be made to the Administrative Appeals Tribunal for review of a decision of the Minister or of an authorised person:
 - (a) not to grant a permission; or
 - (b) to grant a permission subject to a condition or requirement; or
 - (c) to revoke a permission.

- (12) Notice of a decision mentioned in subregulation (7) or (10) must include a statement to the effect that:
- (a) subject to the *Administrative Appeals Tribunal Act 1975*, a person affected by the decision may make an application to the Administrative Appeals Tribunal for review of the decision; and
 - (b) a person whose interests are affected by the decision may request a statement under section 28 of that Act.
- (13) A failure to comply with subregulation (12) does not affect the validity of the decision.

4X Importation of security sensitive ammonium nitrate

The importation into Australia of security sensitive ammonium nitrate (*SSAN*) is prohibited unless:

- (a) both of the following requirements are met:
 - (i) permission (whether in the form of a licence or otherwise) for the importation of the SSAN has been granted in writing by an authority of the State or Territory where the SSAN is to be located immediately after importation; and
 - (ii) the permission is produced to a Collector; or
- (b) permission to import the SSAN is not required under the law of the State or Territory where the SSAN is to be located immediately after importation.

4Y Importation of goods from Democratic People's Republic of Korea

- (1) In this regulation:
- authorised person* means an officer of the Department of Foreign Affairs and Trade authorised in writing by the Foreign Minister for this regulation.
- Foreign Minister* means the Minister for Foreign Affairs.
- (2) The importation of the following goods from the Democratic People's Republic of Korea is prohibited unless the written permission of the Foreign Minister or an authorised person is produced to a Collector at or before the time of importation:

- (a) battle tanks;
 - (b) armoured combat vehicles;
 - (c) large calibre artillery systems;
 - (d) combat aircraft and other military aircraft;
 - (e) attack helicopters;
 - (f) warships;
 - (g) missiles or missile systems;
 - (h) matériel related to any of the goods mentioned in paragraphs (a) to (g), including parts;
 - (i) goods that are capable of being used in the development, production or stockpiling of nuclear, biological or chemical weapons;
 - (j) goods that are capable of being used in the development or production of missiles that are capable of delivering nuclear, biological or chemical weapons.
- (3) When deciding whether to give permission under subregulation (2), the Foreign Minister or an authorised person must take into account:
- (a) Australia's relations with other countries; and
 - (b) Australia's obligations under international law.
- (4) A permission granted under subregulation (2) may specify, for the importation of the goods that it permits:
- (a) conditions or requirements, including times for compliance, to which the importation is subject; and
 - (b) the quantity of the goods that may be imported; and
 - (c) the circumstances in which the goods may be imported.
- (5) The Foreign Minister may revoke or modify a permission granted under subregulation (2) if there are reasonable grounds for believing that:
- (a) a condition or requirement of the permission has not been complied with or, unless modified, is unlikely to be complied with; or
 - (b) permitting, or continuing to permit, the importation of goods in accordance with the permission would infringe the international obligations of Australia.

4Z Importation of certain goods from Iran

- (1) In this regulation:
- authorised person* means an employee of the Department administered by the Foreign Minister, authorised in writing by the Foreign Minister to give permissions under this regulation.
- Foreign Minister* means the Minister for Foreign Affairs.
- (2) The importation, from Iran, of the following items, materials, equipment, goods and technology is prohibited unless the written permission of the Foreign Minister or an authorised person is produced to a Collector at or before the time of importation:
- (a) items, materials, equipment, goods and technology listed in United Nations Security Council document S/2006/814;
 - (b) items, materials, equipment, goods and technology listed in United Nations Security Council document S/2006/815.
- (3) A permission to import goods granted under subregulation (2) may specify for the importation:
- (a) conditions or requirements, including times for compliance, to which the importation is subject; and
 - (b) the quantity of the goods that may be imported; and
 - (c) the circumstances in which the goods may be imported.
- (4) When deciding whether to give permission under subregulation (2), the Foreign Minister or an authorised person must take into account:
- (a) Australia's relations with other countries; and
 - (b) Australia's obligations under international law.
- (5) The Foreign Minister may revoke or modify a permission granted under subregulation (2) if there are reasonable grounds for believing that:
- (a) a condition or requirement of the permission has not been complied with or, unless modified, is unlikely to be complied with; or
 - (b) permitting, or continuing to permit, the importation of goods in accordance with the permission would infringe the international obligations of Australia.

5 Importation of drugs

- (1) Subject to subregulations (2) and (2A), the importation into Australia of a drug is prohibited unless:
 - (a) the person importing the drug is the holder of:
 - (i) a licence to import drugs granted by the Secretary or an authorised person under this regulation; and
 - (ii) a permission to import the drug granted by the Secretary or an authorised person under this regulation;
 - (b) the permission referred to in subparagraph (a) (ii), or a copy of the permission, is produced to the Collector;
 - (c) the drug is imported within the period specified in the permission referred to in subparagraph (a) (ii); and
 - (d) the quantity of the drug that is imported does not exceed:
 - (i) except where subparagraph (ii) applies — the quantity specified in the permission referred to in paragraph (a) (ii) in relation to the drug; or
 - (ii) where the Collector has given a certificate or certificates under subregulation (14) — the difference between the quantity specified in the permission in relation to the drug and the quantity specified in the certificate, or, if more than one certificate has been given, the total of the quantities specified in those certificates, in relation to the drug.
- (2) Subregulation (1) does not apply to or in relation to:
 - (a) a drug in respect of the importation of which an approval is in force under subregulation (3); or
 - (b) a drug that is imported into Australia by a person who is a passenger on board a ship or aircraft if the drug:
 - (i) is required for the medical treatment of the person or of another passenger under the care of the person;
 - (ii) was prescribed by a medical practitioner for the purposes of that treatment; and
 - (iii) was supplied to the person in accordance with the prescription of the medical practitioner referred to in subparagraph (ii).

- (2A) Subregulation (1) does not apply to a drug that is imported into Australia by a person who is a passenger on board a ship or aircraft if the drug:
- (a) is required for the medical treatment of an animal that is being imported and is under the care of the person; and
 - (b) was prescribed by a veterinarian for use in the animal for the purposes of that treatment; and
 - (c) was supplied to the person in accordance with the prescription of the veterinarian.
- (3) The Minister may, on the recommendation of the Secretary, by notice published in the *Gazette*, approve the importation into Australia of a drug specified in, or included in a class of drugs specified in, the notice.
- (4) An application for a licence to import drugs or for a permission to import a drug shall be in writing and shall be lodged with the Secretary.
- (5) Where a person makes, in accordance with subregulation (4), an application for a licence or permission referred to in that subregulation, the Secretary or an authorised person shall, subject to this regulation, grant to the person the licence or permission, as the case may be.
- (6) An applicant for a licence or permission referred to in subregulation (4) shall, on being so requested by the Secretary or an authorised person, furnish in writing to the Secretary such information as the Secretary or authorised person reasonably may require in relation to the application.
- (7) The Secretary or an authorised person shall not grant to an applicant a licence to import drugs unless:
- (a) the applicant has furnished all the information requested by the Secretary or authorised person under subregulation (6);
 - (b) the applicant is a fit and proper person to be granted a licence to import drugs;
 - (c) the persons (if any) that the applicant:
 - (i) has appointed, or proposes to appoint, as agents; or

- (ii) has employed or proposes to employ;
for the purposes of the business carried on by him in relation to drugs, are fit and proper persons to be so appointed as agents or so employed; and
 - (d) the premises on which the applicant proposes to keep the drugs that will come within his possession during the currency of the licence are secure for that purpose.
- (8) A licence to import drugs shall, unless previously revoked, remain in force for such period as is specified in the licence.
- (9) A licence to import drugs is granted subject to compliance by the holder of the licence with the following conditions or requirements:
 - (a) the holder of the licence shall:
 - (i) keep in safe custody at all times any drug that is in his possession; and
 - (ii) if the drug is moved from one place to another, take adequate precautions to ensure that the removal is safely carried out;
 - (b) the holder of the licence shall take such reasonable precautions as the Secretary or an authorised officer, or the CEO, directs for the purpose of ensuring that there is no danger of loss or theft of any drug in the possession of the holder of the licence;
 - (c) the holder of the licence shall not dispose of any drug, being a drug, other than methaqualone, referred to in paragraph (a) of the definition of **drug** in subregulation (20), unless he is satisfied that the drug will be used solely for medical or scientific purposes;
 - (ca) the holder of the licence shall not dispose of the drug methaqualone unless satisfied that the drug will be used solely for scientific purposes;
 - (d) the holder of the licence shall record in a book kept for that purpose:
 - (i) the name and quantity of each drug that is in his possession and, where any such drug has been obtained from another person, the name and address of that other person;

- (ii) where the holder of the licence supplies any quantity of a drug to another person — the quantity of the drug so supplied and the name and address of the other person; and
 - (iii) where the holder of the licence uses a drug in the manufacture of another drug or an exempted preparation — the quantity of the drug used, lost, destroyed, evaporated or wasted in that manufacture and the quantity and nature of the other drug or exempted preparation manufactured;
- (e) the holder of the licence shall, when required by the Secretary or an authorised officer, or the CEO, produce to that person for examination:
 - (i) any book kept in accordance with paragraph (d); and
 - (ii) any drug in the possession of the holder of the licence;
- (f) the holder of the licence shall retain any book kept in accordance with paragraph (d) until the Secretary or an authorised person approves of its destruction;
- (g) the holder of the licence shall, within 5 days after the expiration of a report week, furnish to the Secretary a return setting out the entries recorded in respect of the report week in the book referred to in paragraph (d);
- (h) the holder of the licence shall, within 14 days after receiving a notice in writing from the Secretary or an authorised person, furnish to the Secretary such information as is requested in the notice, being information with respect to:
 - (i) the orders for drugs placed with the holder of the licence within such period immediately preceding the date of the notice as is specified in the notice;
 - (ii) the orders for drugs that the holder of the licence reasonably expects to be placed with him within such period immediately following the date of the notice as is specified in the notice; or
 - (iii) any proposal of the holder of the licence to manufacture or sell by wholesale, within such period immediately following the date of the notice as is

- specified in the notice, a drug that he has not previously manufactured or sold by wholesale;
- (j) the holder of the licence shall in respect of each permission to import a drug that is granted to him during the currency of the licence, being a permission that specifies a condition or requirement to be complied with by him, comply with that condition or requirement.
- (10) The Secretary or an authorised person shall not grant to an applicant a permission to import a drug unless:
- (a) the applicant has furnished all the information requested by the Secretary or authorised person under subregulation (6);
 - (b) in the case of a drug that is included in Schedule 1 or 2 to the Single Convention:
 - (i) where the drug is required by the applicant for the manufacture of a drug at certain premises — if the *Narcotic Drugs Act 1967* applies in relation to that manufacture, the applicant is, for the purposes of that Act, the holder of a manufacturer's licence in relation to the manufacture of the last-mentioned drug at those premises and, if, under a law of the State or Territory in which those premises are situated, the manufacture of that drug is prohibited unless a licence to manufacture the drug has been granted under that law, the applicant is, for the purposes of that law, the holder of a licence authorising him to manufacture the drug at those premises;
 - (ii) where the drug is required by the applicant for the purposes of his business as a seller or supplier of drugs — the applicant is, under a law of the State or Territory in which the premises at or from which he conducts that business are situated, the holder of a licence authorising him to sell or supply the drug at or from those premises; or
 - (iii) where subparagraphs (i) and (ii) do not apply — the drug is required by the applicant for medical or scientific purposes;

- (c) in the case of a drug, other than methaqualone, that is not included in Schedule 1 or 2 to the Single Convention:
 - (i) where the drug is required by the applicant for the manufacture of a drug at certain premises and, under a law of the State or Territory in which those premises are situated, the manufacture of the drug is prohibited unless a licence to manufacture the drug has been granted — the applicant is, for the purposes of that law, the holder of a licence authorising him to manufacture the drug at those premises;
 - (ii) where the drug is required by the applicant for the purposes of his business as a seller or supplier of drugs and, under a law of the State or Territory in which the premises at or from which he conducts that business are situated, the sale or supply of the drug is prohibited unless a licence to sell or supply the drug has been granted — the applicant is, for the purposes of that law, the holder of a licence authorising him to sell or supply the drug at or from those premises; or
 - (iii) where subparagraphs (i) and (ii) do not apply and the drug is a drug referred to in paragraph (a) of the definition of *drug* in subregulation (20) — the drug is required by the applicant for medical or scientific purposes;
 - (ca) where the drug is methaqualone — the drug is required for use by the applicant or by another person solely for scientific purposes; and
 - (d) proper arrangements have been made by the applicant for the safe transportation and safe custody of the drug after the drug has been delivered for home consumption.
- (11) A permission to import a drug shall be in writing and shall specify:
- (a) the name and address of the holder of the permission;
 - (b) the name of the supplier of the drug and his address in the country from which the drug is exported;

- (c) the name by which the drug is commonly known and the international non-proprietary name (if any) of the drug;
 - (d) the quantity of the drug that the holder of the permission may import;
 - (e) where the drug is a pharmaceutical product:
 - (i) the form in which the drug is to be imported; and
 - (ii) in the case of a drug referred to in paragraph (d) of the definition of **drug** in subregulation (20) — the strength of the active ingredient, or each active ingredient, as the case may be, that is contained in, or is part of, the drug; and
 - (f) the period during which the importation may be effected under the permission.
- (12) A permission to import a drug shall not, where the drug is included in Schedule I or II of the Single Convention, specify, as the quantity of the drug that may be imported during the period specified in the permission, a quantity that, together with:
- (a) the total quantity (if any) of the drug the importation of which during the year within which the specified period occurs (in this subregulation referred to as the **relevant year**) has already been authorised by the Secretary or an authorised person; and
 - (b) the total quantity of the drug in respect of which, having regard to the information furnished to the Secretary under subregulation (6) or paragraph (9) (h) by other persons holding a licence to import drugs, those persons may reasonably be expected to apply for permission authorising the importation of the drug during the relevant year;
- exceeds the amount that, in accordance with the requirements of the Single Convention, has been determined to be the maximum amount of that drug that may be imported into Australia during the relevant year.
- (13) A permission to import a drug may specify conditions or requirements, including conditions or requirements with respect to the possession, safe custody, transportation, use or disposal of the drug, to be complied with by the holder of the

permission and may, in respect of any such condition or requirement, specify the time, being a time before or after the importation of the drug, at which the condition or requirement is to be complied with by the holder of the permission.

- (14) Where a drug is imported in pursuance of a permission granted under this regulation, the Collector shall, by writing under his hand inscribed on the permission, certify:
- (a) the quantity of the drug so imported; and
 - (b) the date on which it was imported.

- (15) Where:

- (a) for reasons outside the control of the holder of a permission to import a drug, the quantity, or any part of the quantity, of the drug specified in the permission could not be imported, or cannot reasonably be expected to be imported, within the period specified in the permission; and
- (b) the holder of the permission (whether before or after the expiration of the period specified in the permission) applies in writing to the Secretary for a variation of the period during which the importation of the drug may be effected;

the Secretary or an authorised person may, by writing under his hand endorsed on, or attached to, the permission, specify a period other than the period specified in the permission as the period during which the importation of the drug may be effected.

- (16) Where the Secretary or an authorised person has specified a period under subregulation (15) in relation to the importation of a drug, that period shall, for the purposes of paragraph (1) (c), be deemed to be the period specified in the permission.
- (17) Where the holder of a licence to import drugs fails to comply with a condition or requirement set out in subregulation (9), the Secretary or an authorised person may revoke the licence, whether or not the holder of the licence is charged with an offence against subsection 50 (4) of the Act in respect of the failure to comply with the condition or requirements.

(18) Where:

- (a) a permission to import a drug specifies a condition or requirement to be complied with by the holder of the permission; and
- (b) the holder of the permission fails to comply with the condition or requirement;

the Secretary or an authorised person may revoke the permission, whether or not the holder of the permission is charged with an offence against subsection 50 (4) of the Act in respect of the failure to comply with the condition or requirement.

(18A) Where the Secretary or an authorised person makes a decision:

- (a) not to grant under subregulation (5) a licence to import drugs, or a permission to import a drug; or
- (b) to grant under subregulation (13) a permission, to import a drug, that specifies:
 - (i) a condition or requirement to be complied with; or
 - (ii) a time at which a condition or requirement specified in the permission is to be complied with; or
- (c) not to specify under subregulation (15) a period, other than the period specified in a permission, as the period during which the importation of a drug may be effected; or
- (d) to revoke under subregulation (17) a licence to import drugs; or
- (e) to revoke under subregulation (18) a permission to import a drug;

the Secretary or the authorised person, as the case requires, must give to the applicant or the holder of the licence or the holder of the permission, as the case requires, notice in writing setting out the decision as soon as practicable after the making of the decision.

(19) The Secretary shall, before the commencement of each year, cause to be published in the *Gazette* in relation to that year, a notice entitled 'Movements of Drugs of Dependence Calendar' in which shall be set out the periods that are, for the purposes of this regulation, report weeks in respect of that year.

(20) In this regulation:

authorised person means a person authorised in writing by the Secretary to be an authorised person for the purposes of this regulation.

authorised officer means an officer of the Department authorised in writing by the Secretary to be an authorised officer for paragraph (9) (b) or (e).

Department means the Department administered by the Minister administering the *Therapeutic Goods Act 1989*.

Note The latest Administrative Arrangements Orders mentions which Minister administers the *Therapeutic Goods Act 1989*. A copy of the Orders can be found on the internet at <http://scaleplus.law.gov.au/home/docs/legtables/aao.htm>.

derivative means:

- (a) in relation to a chemical or compound — any substance chemically derived from the chemical or compound and from which the chemical or compound may be regenerated, and includes a salt of the chemical or compound; and
- (b) in relation to an isomer, or a mixture of isomers, of a chemical or compound — any substance chemically derived from the isomer or mixture of isomers and from which the isomer or mixture of isomers may be regenerated, and includes a salt of the isomer or mixture of isomers.

drug means:

- (a) a chemical, compound, or other substance or thing, that is included in Schedule 4;
- (b) an isomer or a mixture of isomers of a chemical or compound referred to in paragraph (a);
- (c) a derivative of:
 - (i) a chemical or compound referred to in paragraph (a); or
 - (ii) an isomer or mixture of isomers referred to in paragraph (b);
- (d) a substance or thing, other than an exempted preparation, that contains, or consists in part of:

- (i) a chemical, compound, or other substance or thing, referred to in paragraph (a);
- (ii) an isomer or mixture of isomers referred to in paragraph (b); or
- (iii) a derivative referred to in paragraph (c); or
- (e) a chemical or compound, other than a chemical or compound that is a drug by virtue of another paragraph of this definition, that, in the manufacture by a chemical process of a chemical or compound referred to in paragraph (a), is an immediate precursor of that chemical or compound.

exempted preparation means a substance or thing that is a preparation included in Schedule III to the Single Convention.

manufacture means:

- (a) in relation to a drug — the carrying out of any process by which the drug may be obtained and includes:
 - (i) the refining of the drug;
 - (ii) the transformation of another drug into the drug;
 - (iii) the mixing or compounding of 2 or more drugs to make the drug;
 - (iv) the preparation of tablets, pills, capsules, ampoules or other pharmaceutical products consisting of, or containing, the drug; and
 - (v) the packing or re-packing of the drug;

but does not include the carrying out of any process referred to in subparagraph (iii), (iv), or (v) that is carried out by, or under the responsibility of, a person in the course of his business as a pharmacist for the purpose of supplying a quantity of the drug to another person; and

- (b) in relation to an exempted preparation — the carrying out of any process by which the exempted preparation may be obtained other than such a process carried out by, or under the responsibility of, a person in the course of his business as a pharmacist for the purpose of supplying the exempted preparation to another person.

medical practitioner means a person authorised to practice as a medical practitioner under the law of a State, a Territory or another country.

report week means each period that is set out as being a report week in a notice published in accordance with subregulation (19).

Secretary means the Secretary to the Department.

Single Convention means the Single Convention on Narcotic Drugs, 1961, being the Convention of that name that was adopted and opened for signature at New York on 30 March 1961, as amended and existing on the commencement of this regulation.

year means a period of 12 months commencing on 1 January.

5A Importation of antibiotic substances

- (1) Subject to subregulations (2), (2A) and (3), the importation into Australia of a therapeutic substance that is an antibiotic substance is prohibited unless a permission in writing to import the substance has been granted by the Secretary or an authorised person.
- (2) Subregulation (1) does not apply to a substance:
 - (a) that is for the personal use of a passenger, or a relative of a passenger, on a ship or an aircraft; and
 - (b) that is brought to Australia on that ship or aircraft; and
 - (c) the amount of which does not exceed 3 months' supply for a person at the maximum dosage recommended by the manufacturer of the substance.
- (2A) Subregulation (1) does not apply to a substance if:
 - (a) the substance is required for the use of an animal that is being imported and is under the care of a passenger on the same ship or aircraft; and
 - (b) the amount of the substance does not exceed 3 months supply of the substance at the maximum dosage recommended by the manufacturer of the substance.
- (3) Subregulation (1) does not apply to a substance:
 - (a) imported by a member of a group of persons visiting Australia to participate in a national or international sporting event; and

- (b) for use in the treatment of:
 - (i) a member or members of that group; or
 - (ii) an animal that is being imported and is under the care of the group.

- (4) A permission under subregulation (1) in respect of a therapeutic substance shall be subject to such conditions imposing requirements or prohibitions on the person to whom the permission is granted with respect to:
 - (a) the custody, use, disposal or distribution of the therapeutic substance; or
 - (b) the keeping of records relating to the therapeutic substance;as are necessary to ensure that the substance is not used otherwise than for the purposes for which the Secretary or authorised person grants the permission.

- (5) Where a permission referred to in subregulation (4) is subject to a condition imposing requirements with respect to the keeping of records relating to a therapeutic substance, the permission shall be deemed to be granted subject to compliance by the person to whom it is granted with the following requirements with respect to any quantity of the therapeutic substance imported by him into Australia in accordance with the permission:
 - (a) the person shall, when required to do so by an authorised officer at any reasonable time of the day, produce the records kept by him in relation to the substance for examination by the authorised officer, and permit that officer to take extracts from or copies of the records; and
 - (b) the person shall produce to an authorised officer, at any reasonable time of the day, the quantity of the therapeutic substance, or of a substance or mixture in the preparation of which any of the therapeutic substance has been used, that is in his possession, and permit the officer to examine the substance, to weigh or otherwise ascertain the quantity of the substance and to take a sample of the substance for further examination and analysis.

(6) Where:

- (a) a permission granted under subregulation (1) is subject to a condition to be complied with by a person; and
- (b) the person fails to comply with the condition;

then the Secretary may revoke the permission whether or not the person is charged with an offence under subsection 50 (4) of the Act in respect of the failure to comply with the condition or requirement.

(8) In this regulation:

authorised officer means an officer authorised in writing by the Secretary to be an authorised officer for the purposes of subregulation (5).

Authorised person means a person authorised in writing by the Secretary to be an authorised person for the purposes of this regulation.

relative, in relation to a person, means:

- (a) a spouse, child, parent or grandparent of the person; and
- (b) a person living with the person as his or her spouse on a permanent domestic basis although not legally married to him or her.

Secretary means the Secretary to the Department administered by the Minister administering the *Therapeutic Goods Act 1989*.

Note The latest Administrative Arrangements Orders mentions which Minister administers the *Therapeutic Goods Act 1989*. A copy of the Orders can be found on the internet at <http://scaleplus.law.gov.au/home/docs/legtables/aao.htm>.

5F Reason for refusal to be given

(1) Where the Secretary or an authorised person:

- (a) refuses a person permission to import a therapeutic substance specified in subregulation (1) of regulation 5A of these Regulations;

- (b) revokes under subregulation 5A (6) a permission;

the Secretary or authorised person shall furnish to the person or licensed importer, as the case may be, a statement, in writing, setting out his reasons for the refusal or revocation, as the case may be.

- (3) Where the Secretary or an authorised person is prepared to grant a person a permission under subregulation (1) of regulation 5A of these Regulations but proposes to make the permission subject to conditions to which the person objects, the Secretary or authorised person shall furnish to the person a statement in writing setting out his reasons for including those conditions.

- (4) In this regulation:

Secretary means the Secretary to the Department administered by the Minister administering the *Therapeutic Goods Act 1989*.

Note The latest Administrative Arrangements Orders mentions which Minister administers the *Therapeutic Goods Act 1989*. A copy of the Orders can be found on the internet at <http://scaleplus.law.gov.au/home/docs/legtables/aao.htm>.

5G Importation of certain substances

- (1) The importation into Australia of a substance mentioned in Schedule 7A is prohibited unless:
- (a) the person importing the substance is the holder of a permission to import the substance granted in writing by the Secretary or an authorised officer; and
 - (b) the permission is produced to a Collector.
- (2) Subregulation (1) does not apply to a substance if:
- (a) the substance is required for the medical treatment of a person who is a passenger on a ship or aircraft; and
 - (b) the substance is imported into Australia on the ship or aircraft; and
 - (c) the substance was prescribed by a medical practitioner for that treatment; and
 - (d) the amount of the substance imported does not exceed the amount of the substance prescribed by the medical practitioner for the person receiving the treatment.
- (3) However, the exception in subregulation (2) does not apply to a substance if the substance is required for the medical treatment of:
- (a) a person who is a competitor within the meaning of the *Australian Sports Drug Agency Act 1990*; or

- (b) a person who has come to Australia for purposes relating to the performance of a competitor or the management of a competitor or a competitor's interests.

Examples of purposes mentioned in paragraph (3) (b)

- 1 Coaching or training a competitor.
- 2 Providing medical treatment or physiotherapy to a competitor.
- 3 Managing a competitor.
- 4 Managing public relations for a competitor.

- (4) A permission may specify:
- (a) conditions or requirements to be complied with by the holder of the permission; and
 - (b) when the holder of the permission must comply with a condition or requirement, whether before or after the importation of the substance to which the permission relates.
- (5) If the holder of a permission does not comply with a condition or requirement (if any) of the permission, the Secretary may, in writing, revoke the permission.

- (6) In this regulation:

authorised officer means an officer authorised in writing by the Secretary to be an authorised officer for this regulation.

medical practitioner means a person authorised to practice as a medical practitioner under a law of a State, a Territory or another country.

Secretary means the Secretary to the Department administered by the Minister administering the *Therapeutic Goods Act 1989*.

Note The latest Administrative Arrangements Orders mentions which Minister administers the *Therapeutic Goods Act 1989*. A copy of the Orders can be found on the internet at <http://scaleplus.law.gov.au/home/docs/legtables/aao.htm>.

5H Importation of certain goods

- (1) In this regulation:

authorised officer means an officer authorised in writing by the Secretary to be an authorised officer for this regulation.

Secretary means the Secretary to the Department administered by the Minister administering the *Therapeutic Goods Act 1989*.

Note The latest Administrative Arrangements Orders mentions which Minister administers the *Therapeutic Goods Act 1989*. A copy of the Orders can be found on the internet at <http://scaleplus.law.gov.au/home/docs/legtables/aao.htm>.

- (2) The importation into Australia of goods specified in Schedule 8 to these Regulations is prohibited unless the Secretary or an authorised officer has, by instrument in writing, granted permission to import the goods and the instrument is produced to the Collector.
- (3) A permission under this regulation shall be subject to such conditions imposing requirements or prohibitions on the person to whom the permission is granted with respect to the custody, use, disposal or destruction of the goods, as the Secretary or authorised officer, as the case may be, thinks necessary to ensure that the goods are not used otherwise than for the purpose for which he grants the permission.
- (4) Where:
 - (a) a permission granted under subregulation (2) is subject to a condition to be complied with by a person; and
 - (b) the person fails to comply with the condition;then the Secretary may revoke the permission whether or not the person is charged with an offence under subsection 50 (4) of the Act in respect of the failure to comply with the condition.

5HA Review of decisions

- (1) In this regulation:

decision has the same meaning as in the *Administrative Appeals Tribunal Act 1975*.

Initial decision means a decision:

 - (a) of the Secretary, or an authorised person, under subregulation 5 (5), (13), (15), (17) or (18) or 5A (1), (4) or (6); or
 - (ab) of the Secretary, or an authorised officer, under subregulation 5G (1) or (5); or

- (b) of the Secretary, or an authorised officer, under subregulation 5H (2) or (4).

Minister means the Minister administering the *Therapeutic Goods Act 1989*.

Note The latest Administrative Arrangements Orders mentions which Minister administers the *Therapeutic Goods Act 1989*. A copy of the Orders can be found on the internet at <http://scaleplus.law.gov.au/home/docs/legtables/aao21oct.htm>.

- (2) A person whose interests are affected by an initial decision may request the Minister to reconsider the decision by notice in writing given to the Minister within 90 days after the decision first comes to the person's notice.
- (3) The Minister must reconsider the initial decision as soon as practicable after receiving a request under subregulation (2), and may:
- (a) confirm the initial decision; or
 - (b) revoke the initial decision; or
 - (c) revoke the initial decision and make a decision in substitution for that decision.
- (4) If a person who has made a request under subregulation (2) does not receive notice of the decision of the Minister on reconsideration within 60 days of the making of the request, the Minister is to be taken to have confirmed the original decision.
- (5) After reconsideration of an initial decision, the Minister must give the applicant a notice in writing stating:
- (a) the result of the reconsideration; and
 - (b) that the applicant may, except where subsection 28 (4) of *Administrative Appeals Tribunal Act 1975* applies, apply for a statement setting out the reasons for the decision on reconsideration and may, subject to that Act, make an application to the Administrative Appeals Tribunal for review of that decision.
- (6) If written notice of the making of an initial decision is given to a person whose interests are affected by the decision, the notice is to include a statement to the effect that a person whose interests are affected by the decision may:

- (a) seek a reconsideration of the decision under this regulation; and
 - (b) subject to the *Administrative Appeals Tribunal Act 1975*, if the person is dissatisfied with the decision upon reconsideration, make an application to the Administrative Appeals Tribunal for review of that decision.
- (7) Any failure to comply with the requirements of subregulation (5) or (6) in relation to a decision does not affect the validity of the decision.
- (8) An application may be made to the Administrative Appeals Tribunal for review of a decision under subregulation (3).

5I Importation of certain organochlorine chemicals

- (1) In this regulation, *authorised officer* means an officer of the Department of Agriculture, Fisheries and Forestry authorised in writing by the Minister for Agriculture, Fisheries and Forestry for the purposes of this regulation.
- (2) The importation into Australia of:
- (a) goods, being certain organochlorine chemicals specified in items 2, 3, 10 and 11 of Schedule 9;
 - (b) goods, being any chemical or compound that may be derived from an organochlorine chemical so specified and from which such a chemical may be regenerated; and
 - (c) goods, being any isomer of an organochlorine chemical so specified, or any substance derived from such an isomer and from which such an isomer may be regenerated;
- is prohibited unless:
- (d) the Minister for Agriculture, Fisheries and Forestry or an authorised officer has granted a permission in writing to import the goods; and
 - (e) the permission is produced to a Collector.
- (2A) The importation into Australia of:
- (a) goods, being certain organochlorine chemicals specified in items 1, 4, 5, 6, 7, 8, 9, 12 and 13 of Schedule 9; and

- (b) goods, being any chemical or compound that may be derived from an organochlorine chemical so specified and from which such a chemical may be regenerated; and
- (c) goods, being any isomer of an organochlorine chemical so specified, or any substance derived from such an isomer and from which such an isomer may be regenerated;

is prohibited unless:

- (d) if the chemical is an active constituent or a chemical product as defined in the Agricultural and Veterinary Chemicals Code set out in the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994*:
 - (i) a permission to import the chemical has been granted in writing under the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995*; and
 - (ii) the permission is produced to a Collector; or
 - (e) in any other case:
 - (i) the Minister for Agriculture, Fisheries and Forestry or an authorised officer has granted a permission in writing to import the goods; and
 - (ii) the permission is produced to a Collector.
- (2B) An application for a permission under paragraph (2) (d) or (2A) (e) must be:
- (a) in writing; and
 - (b) lodged with an authorised officer.
- (2C) An authorised officer may ask an applicant for a permission under paragraph (2) (d) or (2A) (e) to give to the authorised officer any information that the authorised officer or the Minister reasonably requires in order to decide whether the permission should be granted.
- (3) Where, in relation to an application for a permission under subregulation (2) or (2A), an authorised officer has formed an opinion that the permission should not be granted, the authorised officer shall refer the application to the Minister for Agriculture, Fisheries and Forestry.

- (4) Where an application has been referred to the Minister for Agriculture, Fisheries and Forestry under subregulation (3), that Minister may grant, or refuse to grant, the permission.
- (5) A permission granted under subregulation (2), (2A) or (4) may specify conditions or requirements to be complied with by the holder of the permission and may, in respect of any such condition or requirement, specify a time (being a time before or after the importation of the goods to which the permission relates) at or before which the condition or requirement shall be complied with by the holder.
- (6) Where:
 - (a) a permission granted under subregulation (2), (2A) or (4) is subject to a condition or requirement to be complied with by a person; and
 - (b) the person fails to comply with the condition or requirement;the Minister may revoke the permission whether or not the person is charged with an offence under subsection 50 (4) of the Act in respect of the failure to comply with the condition or requirement.

5J Importation of goods containing certain chemical compounds

- (1) In this regulation:
 - authorised person* means an officer or employee of the Department of Foreign Affairs and Trade authorised in writing by the Minister for Foreign Affairs to give permission to import prescribed goods into Australia for the purposes of this regulation.
 - CAS number*, for a chemical compound, means the Chemical Abstracts Service number, which is the registry number:
 - (a) assigned to the compound by the Chemical Abstracts Service, Columbus, Ohio, United States of America; and
 - (b) published by the Service in the journal *Chemical Abstracts*.
 - Chemical Weapons Convention* means the Convention on the Prohibition of the Development, Production, Stockpiling and

Use of Chemical Weapons and on their Destruction, opened for signature in Paris on 13 January 1993.

Prescribed goods means goods containing any of the following chemical compounds:

- (a) a chemical compound mentioned in column 2 of an item in Part 2, 3 or 4 of Schedule 11;
- (b) a chemical compound belonging to a group of compounds mentioned in column 2 of an item in Part 2, 3 or 4 of Schedule 11.

Notes

- (a) The Chemical Abstracts Service number of a chemical compound mentioned in column 2 of an item is shown in column 3 of the item.
 - (b) For chemical compounds mentioned by type in column 2 of an item in Part 2 of Schedule 11, Chemical Abstracts Service numbers for compounds comprising the type are not mentioned in column 3.
- (2) The importation into Australia of prescribed goods containing a chemical compound, or a chemical compound belonging to a group of compounds, mentioned in Part 2 or 3 of Schedule 11 from a country that is not a State Party to the Chemical Weapons Convention is prohibited absolutely.
- (2A) The importation into Australia of prescribed goods containing a chemical compound, or a chemical compound belonging to a group of compounds, mentioned in Part 2 or 3 of Schedule 11 from a country that is a State Party to the Chemical Weapons Convention is prohibited unless:
- (a) the Minister for Foreign Affairs or an authorised person has given permission in writing to import the goods; and
 - (b) the permission is produced to the Collector.
- (2AA) The importation into Australia of prescribed goods containing a chemical compound, or a chemical compound belonging to a group of compounds, mentioned in Part 4 of Schedule 11 is prohibited unless:
- (a) the Minister for Foreign Affairs or an authorised person has given permission in writing to import the goods; and
 - (b) the permission is produced to a Collector.

- (2AB) A permission under paragraph (2A) (a) for prescribed goods containing a chemical compound, or a chemical compound belonging to a group of compounds, mentioned in Part 3 of Schedule 11, or under paragraph (2AA) (a):
- (a) may be given for the importation of more than 1 shipment; and
 - (b) remains in force for 1 year from the day when it is given; and
 - (c) may be renewed for up to 3 further periods of 1 year.
- (2AC) However, subregulations (2), (2A) and (2AA) do not apply to prescribed goods that contain a chemical compound mentioned in Part 3 (except item 1, 2 or 3) or 4 of Schedule 11, or a chemical compound belonging to a group of compounds mentioned in Part 3 (except item 1, 2 or 3) or 4 of Schedule 11, if:
- (a) the chemical compound is less than 10%, by weight, of the goods; and
 - (b) there is no other chemical compound, or chemical compound belonging to a group of compounds, mentioned in Part 2, 3 or 4 of Schedule 11 in the goods.
- (2B) The Minister or an authorised person must not give permission to import prescribed goods unless an application for the permission is received at the Australian Safeguards and Non-proliferation Office:
- (a) for prescribed goods containing a chemical compound, or a chemical compound belonging to a group of compounds, mentioned in Part 2 of Schedule 11 — at least 37 days before the day when it is proposed to import the goods; or
 - (b) in any other case — at least 7 days before the first day when it is proposed to import the goods.
- (2C) However, subregulation (2B) does not apply to prescribed goods that contain saxitoxin if:
- (a) there is not more than 5 milligrams of saxitoxin in the goods; and
 - (b) the goods are to be used for medical or diagnostic purposes only; and

- (c) the goods do not contain any other chemical compound, or chemical compound belonging to a group of compounds, mentioned in column 2 of an item in Part 2 of Schedule 11.
- (3) If an authorised person dealing with an application for a permission believes that the permission should not be given:
 - (a) the authorised person must refer the application to the Minister for Foreign Affairs; and
 - (b) that Minister may give, or refuse to give, the permission.
- (4) A permission for the importation of prescribed goods may:
 - (a) include conditions or requirements to be complied with by the holder of the permission; and
 - (b) set a time (being a time before or after the importation of the goods to which the permission relates) at or before which a condition or requirement must be complied with by the holder.
- (5) The Minister for Foreign Affairs may revoke a permission if:
 - (a) it is subject to a condition or requirement; and
 - (b) the holder fails to comply with the condition or requirement (whether or not the person is charged with an offence against subsection 50 (4) of the Act in respect of the failure to comply with the condition or requirement).

5K Importation of ozone-depleting substances and synthetic greenhouse gases

- (1) The importation into Australia (except from an external Territory) of:
 - (a) a substance mentioned in column 2 of an item in Schedule 10; or
 - (b) pre-charged equipment;is prohibited.
- (2) Subregulation (1) does not apply if a licence to import the substance or equipment has been granted under section 16 of the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989* and the licence, or a copy of the licence, is produced to a Collector.

- (3) Subregulation (1) does not apply to a substance that is:
 - (a) contained in goods (except pre-charged equipment) that will use the substance in the operation of the goods (for example, an aerosol spray device); or
 - (b) present in goods because the substance was used in the manufacturing process for the goods.
- (4) Subregulation (1) does not apply to a CFC, HCFC or SGG in relation to which all of the following conditions are satisfied:
 - (a) the CFC, HCFC or SGG is on board a ship or aircraft;
 - (b) the ship or aircraft has air conditioning or refrigeration equipment;
 - (c) the CFC, HCFC or SGG is exclusively for use in meeting the reasonable servicing requirements of that equipment during, or in connection with, 1 or more periods when the ship or aircraft is or will be engaged in a journey between:
 - (i) a place in Australia and a place outside Australia; or
 - (ii) 2 places outside Australia.
- (5) Subregulation (1) does not apply to an SGG that is imported for use as a cover gas in the manufacture and casting of magnesium.
- (6) Subregulation (1) does not apply to pre-charged equipment in relation to which paragraph 68 (1) (d) of the Act applies.

Note Paragraph 68 (1) (d) of the Act applies to personal or household effects of a passenger, or a member of a crew, of a ship or aircraft.

- (7) In this regulation:

pre-charged equipment means air-conditioning equipment, or refrigeration equipment, (including equipment fitted to a motor vehicle) that contains an HFC or HCFC.

6 Regulations do not derogate from any other law

The provisions of these Regulations are in addition to, and do not derogate from, the operation of any other law of the Commonwealth relating to the importation of goods into Australia.

7 Repeal

The Customs (Prohibited Imports) Regulations (comprising the Statutory Rules specified in Schedule 5 to these Regulations) are repealed.

The Schedules

Schedule 1 **Goods the importation of which is prohibited absolutely** (regulation 3)

Item	Description of Goods
2	Advertising matter relating to any goods covered by this Schedule
26	Dogs of the following breeds: (a) dogo Argentino; (b) fila Brasileiro; (c) Japanese tosa; (d) American pit bull terrier or pit bull terrier; (e) Perro de Presa Canario or Presa Canario
27	Viable material derived from human embryo clones

Schedule 2 Goods the importation of which is prohibited unless the permission in writing of the Minister or an authorised person has been granted

(subregulation 4 (1))

Item	Description of Goods
2	Toys or playthings coated with a material the non-volatile content of which contains more than: (a) 250 mg/kg of lead or lead compounds, calculated as lead; or (b) 100 mg/kg of arsenic or arsenic compounds, calculated as arsenic; or (c) 100 mg/kg of antimony or antimony compounds, calculated as antimony; or (d) 100 mg/kg of cadmium or cadmium compounds, calculated as cadmium; or (e) 100 mg/kg of selenium or selenium compounds, calculated as selenium; or (f) 10 mg/kg of mercury or mercury compounds, calculated as mercury; or (g) 100 mg/kg of chromium or chromium compounds, calculated as chromium; or (h) 50 mg/kg of soluble compounds of barium, calculated as barium
3	Cosmetic products containing more than 250 mg/kg of lead or lead compounds (calculated as lead), except products containing more than 250 mg/kg of lead acetate designed for use in hair treatments
6	Money boxes coated with a material that contains more than 250 mg/kg of lead or lead compounds, calculated as lead
7	Pencils or paint brushes coated with a material the non-volatile content of which contains more than: (a) 250 mg/kg of lead or lead compounds, calculated as lead; or (b) 100 mg/kg of arsenic or arsenic compounds, calculated as arsenic; or

Item	Description of Goods
	(c) 100 mg/kg of antimony or antimony compounds, calculated as antimony; or
	(d) 100 mg/kg of cadmium or cadmium compounds, calculated as cadmium; or
	(e) 100 mg/kg of selenium or selenium compounds, calculated as selenium; or
	(f) 10 mg/kg of mercury or mercury compounds, calculated as mercury; or
	(g) 100 mg/kg of chromium or chromium compounds, calculated as chromium; or
	(h) 50 mg/kg of soluble compounds of barium, calculated as barium
8	Appliances or equipment designed or adapted for warfare or like purposes, being any of, or any combination of, the following: <ul style="list-style-type: none">(a) dazzle or decoy devices;(b) equipment designed or adapted for the making of smoke screens;(c) explosives or incendiary materials;(d) flame throwers;(e) gases or liquids designed for the purpose of killing or incapacitating persons, and devices or apparatus designed or adapted for use with those goods;(f) grenades of any type, whether charged or not;(g) large calibre armament, weapons, launchers, throwers and projectors, whether or not mounted on vehicles, ships or aircraft, that are designed for grenades, bombs, rockets or any other missile, ammunition or substance, including the following:<ul style="list-style-type: none">(i) cannon;(ii) guns, including self-propelled guns;(iii) howitzers;(iv) mortars;(v) projectile launchers;(vi) recoilless rifles;(vii) tank destroyers;(h) mines (whether charged or not);(i) projectiles, bombs, rockets or any other missile, ammunition (other than ammunition to which Part 2 of Schedule 6 applies) or substance (whether charged or not);

Item	Description of Goods
	(j) trip flares; and
	(k) parts and accessories designed or adapted for, or for use with, any of the goods in the preceding paragraphs of this item
9	Daggers or similar devices, being sharp pointed stabbing instruments (not including swords or bayonets): (a) ordinarily capable of concealment on the person; and (b) having: (i) a flat blade with cutting edges (serrated or not serrated) along the length of both sides; or (ii) a needle-like blade, the cross section of which is elliptical or has three or more sides; and (c) made of any material
10	Dog collars incorporating: (a) apparatus designed to cause an electric shock; or (b) protrusions designed to puncture or bruise an animal's skin
12	Hand-held electric devices that are designed to administer an electric shock on contact, other than cattle prods designed exclusively for use with animals
13	Acoustic anti-personnel devices that are designed: (a) to cause permanent or temporary incapacity or disability to a person; or (b) to otherwise physically disorientate a person
14	Hand-held battery-operated devices designed to discharge a gas or liquid
15	Goods to which, or to the coverings of which, there is applied a representation of the Arms, a flag or a seal of the Commonwealth or of a State or Territory of the Commonwealth or a representation so nearly resembling the Arms, a flag or a seal of the Commonwealth or of a State or Territory of the Commonwealth as to be likely to deceive
16	Goods to which, or to the coverings of which, there is applied a representation of the Royal Arms or a representation so nearly resembling the Royal Arms as to be likely to deceive
18	Blow-guns or blow-pipes that are capable of projecting a dart, or other devices that consist of a pipe or tube through which a missile in the form of a dart is capable of being projected by: (a) the exhaled breath of the user; or (b) another means other than an explosive

Item	Description of Goods
18A	Darts capable of being projected from: <ul style="list-style-type: none"> (a) a blow-gun or blow-pipe; or (b) another device that consists of a pipe or tube through which a missile in the form of a dart is capable of being projected by: <ul style="list-style-type: none"> (i) the exhaled breath of the user; or (ii) another means other than an explosive
18B	Goods of the kind known as nunchakus
18C	Crossbows that, when discharged, are capable of causing: <ul style="list-style-type: none"> (a) damage to property; or (b) bodily harm; other than toy crossbows
18D	Ballistic knives, being knives that discharge a blade as a projectile by a spring mechanism or other means
19	Flick knives or similar devices, made of any material, that have a blade folded or recessed into the handle which opens automatically by: <ul style="list-style-type: none"> (a) gravity or centrifugal force; or (b) pressure applied to a button, spring or device in or attached to the handle of the device
19A	Knuckle-dusters or similar devices that can be fitted over the knuckles of the hand of the user: <ul style="list-style-type: none"> (a) to protect the knuckles; and (b) to increase the effect of a punch or other blow; whether the device has been manufactured for those purposes or adapted for those purposes
20	Gloves, or similar coverings for the hand, incorporating protrusions designed to puncture or bruise the skin
21	Goods incorporating: <ul style="list-style-type: none"> (a) a concealed knife of any length, made of any material; or (b) a concealed blade of any length, made of any material; or (c) a concealed spike of any length, made of any material
22	Hunting slings, catapults or sling shots designed for use with, or a component part of which is, a brace that: <ul style="list-style-type: none"> (a) fits or rests upon the forearm or upon another part of the body of the user; and

Item	Description of Goods
	(b) supports the wrist or forearm against the tension of any material used to propel a projectile
23	Star knives or similar devices: <ul style="list-style-type: none">(a) consisting of more than one angular point, blade or spike, disposed outwardly about a central axis point; and(b) designed to spin around the central axis point in flight when thrown at a target; and(c) made of any material
29A	Body armour, protective jackets, protective vests, protective suits, anti-ballistic articles or any other similar articles: <ul style="list-style-type: none">(a) able to be worn, either independently, or as a part of something else, on the human body; and(b) designed or adapted to protect the human body from the effects of a weapon (for example, a knife); other than anti-ballistic articles used for eye or hearing protection
34	Erasers, resembling food in scent or appearance, that do not satisfy Part 3 ('Toxicological Requirements') of Australian Standard 1647-1982 ('Childrens Toys (Safety Requirements)'), published on 9 August 1982
35	Sheath knives or similar devices: <ul style="list-style-type: none">(a) having a sheath which withdraws into its handle:<ul style="list-style-type: none">(i) by gravity or centrifugal force; or(ii) if pressure is applied to a button, spring or device attached to or forming part of the sheath, handle or blade of the knife; and(b) made of any material
36	Push knives or similar devices: <ul style="list-style-type: none">(a) designed as weapons that consist of a single-edged or multi-edged blade or spike that:<ul style="list-style-type: none">(i) has a handle fitted transversely to the blade or spike; and(ii) allows the blade or spike to be supported by the palm of the hand so that stabbing blows or slashes can be inflicted by a punching or pushing action; and(b) made of any material

Item	Description of Goods
37	<p>Trench knives or similar devices that consist of a single-edged or multi-edged blade or spike:</p> <ul style="list-style-type: none">(a) fitted with a handle made of any hard substance that can be fitted over the knuckles of the hand of the user:<ul style="list-style-type: none">(i) to protect the knuckles; and(ii) to increase the effect of a punch or blow; and(b) made of any material; <p>whether the device has been manufactured for those purposes or adapted for those purposes</p>
38	<p>Throwing blades, throwing knives or throwing axes:</p> <ul style="list-style-type: none">(a) designed or modified to be thrown; and(b) made of any material
39	<p>Knives, blades or spikes which are neither metallic nor ceramic, other than plastic cutlery</p>
40	<p>Hand or foot claws, being articles consisting of claws that are made or modified to be attached to or worn on the hands or feet</p>
41	<p>Weighted gloves or similar articles (including a fingerless glove) consisting of a weighted glove designed or constructed to be used as a weapon</p>
42	<p>Butterfly knives, devices known as ‘balisongs’, or other devices that consist of a single-edged or multi-edged blade or spike that:</p> <ul style="list-style-type: none">(a) fits within two handles attached to the blade or spike by transverse pivot pins; and(b) is capable of being opened by gravity or centrifugal force
43	<p>Shark Darts or similar devices that are designed to expel, on or after contact, a gas or other substance capable of causing bodily harm</p>
44	<p>Dart projectors known as a ‘darchery dartslingers’, or similar devices that are designed to project a dart by means of an elasticised band</p>
45	<p>Maces or similar articles:</p> <ul style="list-style-type: none">(a) capable of causing injury; and(b) consisting of a club or staff fitted with a flanged or spiked head; <p>other than a ceremonial mace made for use solely as a symbol of authority on ceremonial occasions</p>

Item	Description of Goods
46	Flails or similar articles consisting of a staff or handle that has fitted to one end, by any means, a freely swinging striking part armed with spikes or studded with any protruding matter
47	Extendable or telescopic batons, designed or adapted so that the length of the baton extends by: <ul style="list-style-type: none">(a) gravity; or(b) centrifugal force; or(c) pressure applied to a button, spring or device in or attached to the handle of the baton

Schedule 3 Goods the importation of which is prohibited unless specified conditions, restrictions or requirements are complied with

(subregulation 4 (2))

Item	Description of goods	Conditions, restrictions and requirements
1	Anti-personnel sprays and chemicals for use in the manufacture of anti-personnel sprays	<p>The goods must not be imported unless:</p> <ul style="list-style-type: none"> (a) the written consent of the Minister, the Commissioner of the Australian Federal Police or the commissioner (however designated) of the police force of a State or Territory, is produced to a Collector; and (b) the goods are imported: <ul style="list-style-type: none"> (i) for the purposes of the government of the Commonwealth, including the use of the Australian Federal Police; or (ii) for the use of a police force of a State or Territory, or a correctional institution of a State or Territory

Item	Description of goods	Conditions, restrictions and requirements
1A	Grenades or canisters, designed for use with anti-personnel sprays or anti-personnel chemicals	<p>The goods must not be imported unless:</p> <ul style="list-style-type: none"> (a) the written consent of the Minister, the Commissioner of the Australian Federal Police or the commissioner (however designated) of the police force of a State or Territory, is produced to a Collector; and (b) the goods are imported: <ul style="list-style-type: none"> (i) for the purposes of the government of the Commonwealth, including the use of the Australian Federal Police; or (ii) for the use of a police force of a State or Territory, or a correctional institution of a State or Territory
3	Non-refillable containers containing hydrofluorocarbons designed for use in the maintenance of refrigerative units (including air conditioning units)	The goods must not be imported unless the written consent of the Minister for the Environment and Heritage, or an officer of the Department of the Environment and Heritage who is authorised for this item by that Minister, is produced to a Collector
9A	Goods that are national cultural property within the meaning of section 4 of the <i>National Cultural Property (Preservation) Ordinance</i> 1965-1970 of Papua New Guinea, as in force immediately before the commencement of this item	The importer shall produce to the Collector the consent in writing of the Trustees of the Papua New Guinea Public Museum and Art Gallery to the export or removal of the goods from Papua New Guinea

Item	Description of goods	Conditions, restrictions and requirements
13	Marked fuel, as defined in section 4 of the <i>Fuel (Penalty Surcharges) Administration Act 1997</i> , that is not designated fuel, as defined in subsection 4 (1) of the <i>Customs Act 1901</i>	<ol style="list-style-type: none">1. The goods must not be imported unless the permission of the Minister or an authorised person has been granted.2. A permission may be granted on the condition that the fuel is converted to clean fuel, or designated fuel, as defined in subsection 4 (1) of the <i>Customs Act 1901</i> before delivery into home consumption.

Schedule 3A **Goods the importation of
which is prohibited if
permission is not granted
under regulation 4BA**

(regulation 4BA)

Item	Description of goods
1	Fish of the species <i>Dissostichus eleginoides</i> (commonly known as Patagonian toothfish)
2	Fish of the species <i>Dissostichus mawsoni</i> (commonly known as Antarctic toothfish)

Schedule 3B Permitted importation of chrysotile

(paragraph 4C (5) (a))

Item	Uses for which permission may be granted	Deadline for importation
1	<p>Use of chrysotile in compressed asbestos fibre gaskets that is:</p> <p>(a) for use with:</p> <p>(i) saturated steam; or</p> <p>(ii) superheated steam; or</p> <p>(iii) substances that are classified as dangerous goods (as defined in the Australian Code for the Transport of Dangerous Goods by Road and Rail, 6th edition, published by the Federal Office of Road Safety in 1998); or</p> <p>(b) for use with chlorine in a plant used in liquid chlorine service with design process conditions of -45°C and 1 500 kPa</p>	<p>31 December 2004</p> <p>31 December 2006</p>
2	<p>Use of chrysotile in a product that consists of a mixture of asbestos with a phenol formaldehyde resin or with a cresylic formaldehyde resin used in:</p> <p>(a) a vane for rotary vacuum pumps; or</p> <p>(b) a vane for rotary compressors; or</p> <p>(c) a split face seal of at least 150 mm in diameter used to prevent leakage of water from cooling water pumps in fossil fuel electricity generating stations</p>	31 December 2007
3	Use of chrysotile in a diaphragm for use in electrolytic cell in an existing electrolysis plant for chlor-alkali manufacture	31 December 2006

Item	Uses for which permission may be granted	Deadline for importation
4	Use by the Department of Defence or the Australian Defence Force of chrysotile in a part or component of a plant, if: <ul style="list-style-type: none">(a) the unavailability of the part or component prevents the plant from being available for use; and(b) the unavailability of the plant prevents a mission from being undertaken; and(c) there is no reasonable alternative to the use of chrysotile	31 December 2007

Schedule 4 Drugs

(regulation 5)

Item	Description of drugs
1	Acetorphine
2	Acetyl-alpha-methylfentanyl
2A	N-acetylanthranilic acid
3	Acetyldihydrocodeine
4	Acetylmethadol
5	Alfentanil
6	Allylprodine
7	Alphacetylmethadol
8	Alphameprodine
9	Alphamethadol
10	Alphamethylfentanyl
11	Alphamethylthiofentanyl
12	Alphaprodine
13	Alprazolam
14	3-(2-aminopropyl) indole
14A	Aminorex
15	Amphecloral
16	Amphetamine, but not including levoamphetamine
17	Anileridine
18	Barbiturates belonging to the class of 5,5-disubstituted barbituric and thiobarbituric acids, including compounds structurally derived from those acids
19	Benzethidine
20	Benzphetamine
21	Benzylmorphine
22	Betacetylmethadol
23	Betahydroxyfentanyl
24	Betahydroxy-3-methylfentanyl
25	Betameprodine

Item	Description of drugs
26	Betamethadol
27	Betaprodine
28	Bezitramide
29	Bromazepam
30	4-bromo-2,5-dimethoxyamphetamine
30A	4-bromo-2,5-dimethoxyphenethylamine (otherwise known as 2-CB)
30B	Brotizolam
31	Bufotenine
32	Buprenorphine
32A	Butorphanol
33	Camazepam
34	Cannabinoids
35	Cannabis
36	Cannabis resin
36A	Carfentanyl
37	Cathine
38	Cathinone
39	Chlordiazepoxide
40	Chlorphentermine
41	Clobazam
42	Clonazepam
43	Clonitazene
44	Clorazepate
45	Clotiazepam
46	Cloxazolam
47	Cocaine, including the leaf of any plant of any species of the genus <i>Erythroxylon</i> from which cocaine can be extracted, either directly or by chemical transformation
48	Codeine
49	Codoxime
50	Delorazepam
51	Desomorphine
52	Dexamphetamine

Item	Description of drugs
53	Dextromoramide
54	Dextropropoxyphene
55	Diampromide
56	Diazepam
57	Diethylpropion (otherwise known as amfepramone)
58	Diethylthiambutene
59	N,N-diethyltryptamine
60	Difenoxin
61	Dihydrocodeine
62	Dihydromorphine
63	Dimenoxadol
64	Dimepheptanol (otherwise known as methadol)
65	2,5-dimethoxyamphetamine
66	2,5-dimethoxy-4-ethylamphetamine
66A	2,5-dimethoxy-4-ethylthiophenethylamine (otherwise known as 2C-T-2)
66B	2,5-dimethoxy-4-iodophenethylamine (otherwise known as 2C-1)
67	2,5-dimethoxy-4-methylamphetamine
67A	2,5-dimethoxy-4-n-propylthiophenethylamine (otherwise known as 2C-T-7)
68	1-dimethylamino-1,2-diphenylethane
68A	Dimethylheptyl-delta-3-tetrahydrocannabinol (otherwise known as DMHP)
69	Dimethylthiambutene
70	N,N-dimethyltryptamine
71	Dioxaphetyl butyrate
72	Diphenoxylate
73	Dipipanone
74	Drotebanol
75	Ecgonine
76	Ephedrine
77	Ergometrine
78	Ergot
79	Ergotamine

Item	Description of drugs
80	Estazolam
81	Ethchlorvynol
82	Ethinamate
83	N-ethylamphetamine
84	N-ethyl-methylenedioxyamphetamine (otherwise known as N-ethyl MDA)
85	Ethyl loflazepate
86	Ethylmethylthiambutene
87	Ethylmorphine
88	Etonitazene
89	Etorphine
90	Etoxidine
90A	Etryptamine (otherwise known as 3-(2-aminobutyl)indole)
91	Fencamfamin
92	Fenetylline
93	Fenproporex
94	Fentanyl
95	Fludiazepam
96	Flunitrazepam
97	Flurazepam
98	Furethidine
98A	Gammabutyrolactone
99	Glutethimide
100	Halazepam
101	Haloxazolam
102	Harmaline (otherwise known as 4,9-dihydro-7-methoxy-1-methyl-1-(3H)pyrido(3,4-b)indole), except when occurring naturally as a component of the herb <i>tribulus terrestris</i>
103	Harmine (otherwise known as 7-methoxyharman), except when occurring naturally as a component of the herb <i>tribulus terrestris</i>
104	Heroin (otherwise known as diacetylmorphine)
105	Hydrocodone
106	Hydromorphanol

Item	Description of drugs
107	Hydromorphone
108	Hydroxyamphetamine
108A	4-hydroxybutanoic acid
109	N-hydroxy-methylenedioxyamphetamine (otherwise known as N-hydroxy MDA)
110	Hydroxypethidine
111	Ibogaine
112	Isomethadone
112A	Isosafrole
112B	Kava
113	Ketazolam
114	Ketobemidone
115	Levamphetamine
116	Levomethamphetamine
117	Levomethorphan
118	Levomoramide
119	Levophenacymorphan
120	Levorphanol
121	Loprazolam
122	Lorazepam
123	Lormetazepam
124	Lysergamide
125	Lysergic acid
126	Lysergide
127	Mazindol
128	Mecloqualone
129	Medazepam
130	Mefenorex
131	Meprobamate
132	Meprodine
133	Mescaline
133A	Mesocarb
134	Metamfetamine racemate

Item	Description of drugs
135	Metazocine
136	Methadone
137	Methadone intermediate (otherwise known as 4-cyano-2-dimethylamino-4,4-diphenylbutane)
138	Methaqualone
138A	Methcathinone
139	Methorphan, but not including dextromethorphan
139A	5-methoxy-alpha-methyltryptamine (otherwise known as 5-MeO-AMT)
139B	5-methoxy-N,N-diisopropyltryptamine (otherwise known as 5-MeO-DiPT)
140	5-methoxy-3,4-methylenedioxyamphetamine
141	4-methylaminorex
142	Methylamphetamine
143	Methyl desorphine
144	Methyldihydromorphine
145	3,4-methylenedioxyamphetamine
146	3,4-methylenedioxymethamphetamine
146A	3,4-methylenedioxyphenyl-2-propanone
147	3-methylfentanyl
147A	N-methyl-1-(3,4-methylenedioxyphenyl)-2-butanamine (otherwise known as MBDB)
148	Methylphenidate
149	1-methyl-4-phenyl-4-propionoxypiperidine
149A	4-methylthioamphetamine (otherwise known as 4-MTA)
150	3-methylthiofentanyl
151	Methyprylon
152	Metopon
153	Midazolam
154	Moramide intermediate (otherwise known as 2-methyl-3-morpholino-1,1-diphenylpropane carboxylic acid)
155	Morphan, but not including dextrorphanol
156	Morpheridine
157	Morphine

Item	Description of drugs
158	Morphine methobromide
159	Morphine-N-oxide
160	Myrophine
161	Nicocodine
162	Nicodicodine
163	Nicomorphine
164	Nimetazepam
165	Nitrazepam
166	Noracymethadol
167	Norcodeine
168	Nordazepam
169	Norlevorphanol
170	Normethadone
171	Normorphine
172	Norpipanone
173	Opium
174	Oxazepam
175	Oxazolam
176	Oxycodone
177	Oxymorphone
178	Para-fluorofentanyl
179	Paramethoxyamphetamine
180	PCE (otherwise known as N-ethyl-1-phenylcyclohexylamine)
181	Pemoline
182	Pentazocine
183	Pethidine
184	Pethidine intermediate A (otherwise known as 4-cyano-1-methyl-4-phenylpiperidine)
185	Pethidine intermediate B (otherwise known as 4-phenylpiperidine-4-carboxylic acid ethyl ester)
186	Pethidine intermediate C (otherwise known as 1-methyl-4-phenylpiperidine-4-carboxylic acid)
187	Phenadoxone
188	Phenampramide

Item	Description of drugs
189	Phenazocine
190	Phencyclidine
191	Phendimetrazine
192	Phenmetrazine
193	Phenomorphane
194	Phenoperidine
195	Phentermine
195A	Phenylacetic acid
196	1-phenylethyl-4-phenyl-4-acetoxypiperidine
196A	Phenylpropanolamine
197	Phenyl-2-propanone
198	Pholcodine
199	PHP or PCPY (otherwise known as 1-(1-phenylcyclohexyl) pyrrolidine)
200	Piminodine
201	Pinazepam
201A	Piperonal
202	Pipradrol
203	Piritramide
204	Plants and parts of plants of the species <i>Argyrea nervosa</i> , <i>Ipomoea hederacea</i> , <i>Ipomoea tricolor</i> , <i>Ipomoea violacea</i> , <i>Papaver bracteatum</i> , <i>Piptadenia peregrina</i> (<i>Anadenanthera peregrina</i>) or <i>Rivea corymbosa</i> or of any species of the genus <i>Lophophora</i> Coulter
205	Poppy straw
206	Prazepam
207	Prodine
208	Proheptazine
209	Properidine
210	Propiram
211	Propylhexedrine
212	Pseudoephedrine

Item	Description of drugs
213	Psilocine (otherwise known as 3-(2-dimethylaminoethyl)-4-hydroxyindole), including all fungi that contain psilocine
214	Psilocybine, including all fungi that contain psilocybine
215	Pyrovalerone
216	Racemethorphan
217	Racemoramide
218	Racemorphan
218AA	Remifentanil
218A	Safrole
219	Seeds of the plant of the species <i>Papaver somniferum</i> (otherwise known as opium poppy)
220	Sufentanil
221	TCP (otherwise known as 1-(1-(2-thienyl) cyclohexyl) piperidine
222	Temazepam
223	Tetrahydrocannabinols, including all alkyl homologues of tetrahydrocannabinols
224	Tetrazepam
225	Thebacon
226	Thebaine
227	Thiofentanyl
228	Tilidine
229	Triazolam
230	Trimeperidine
231	3,4,5,-trimethoxyamphetamine
232	Zipeprol
233	Zolpidem

Schedule 5 Statutory Rules repealed

(regulation 7)

Statutory Rules 1934, No. 152
Statutory Rules 1935, No. 19
Statutory Rules 1936, No. 18
Statutory Rules 1936, No. 38
Statutory Rules 1936, No. 59
Statutory Rules 1936, No. 69
Statutory Rules 1936, No. 86
Statutory Rules 1936, No. 92
Statutory Rules 1936, No. 97
Statutory Rules 1936, No. 104
Statutory Rules 1936, No. 136
Statutory Rules 1936, No. 162
Statutory Rules 1936, No. 166
Statutory Rules 1937, No. 2
Statutory Rules 1938, No. 7
Statutory Rules 1938, No. 40
Statutory Rules 1938, No. 49
Statutory Rules 1938, No. 72
Statutory Rules 1938, No. 85
Statutory Rules 1939, No. 9
Statutory Rules 1939, No. 22
Statutory Rules 1939, No. 37
Statutory Rules 1939, No. 138
Statutory Rules 1939, No. 161
Statutory Rules 1940, No. 146
Statutory Rules 1940, No. 168
Statutory Rules 1940, No. 210
Statutory Rules 1941, No. 84
Statutory Rules 1942, No. 323

Statutory Rules 1943, No. 11
Statutory Rules 1945, No. 34
Statutory Rules 1945, No. 144
Statutory Rules 1946, No. 59
Statutory Rules 1946, No. 77
Statutory Rules 1946, No. 169
Statutory Rules 1947, No. 66
Statutory Rules 1947, No. 81
Statutory Rules 1947, No. 119
Statutory Rules 1947, No. 164
Statutory Rules 1948, No. 35
Statutory Rules 1948, No. 145
Statutory Rules 1949, No. 18
Statutory Rules 1949, No. 87
Statutory Rules 1949, No. 94
Statutory Rules 1951, No. 5
Statutory Rules 1951, No. 75
Statutory Rules 1951, No. 141
Statutory Rules 1952, No. 114
Statutory Rules 1953, No. 10
Statutory Rules 1953, No. 56
Statutory Rules 1953, No. 77
Statutory Rules 1956, No. 40

Schedule 6 Requirements for the importation of firearms, firearm accessories, firearm parts, firearms magazines, ammunition, components of ammunition and replicas

(regulation 4F)

Part 1 Tests

A reference in column 3 of Part 2 of this Schedule to compliance with a test means compliance in the following manner:

1. Official purposes test

- 1.1 The importation of an article, being a firearm, a firearm accessory, a firearm part, a firearm magazine, ammunition or a component of ammunition to which the official purposes test relates, complies with the test if the importer of the article produces to a Collector, at or before importation, the written permission of the Attorney-General for the importation of the article.
- 1.2 The Attorney-General must not give written permission for the importation of the article unless the Attorney-General is satisfied that:
 - (a) the article is for the purposes of the government of the Commonwealth, a State or a Territory; and
 - (b) the ownership arrangements for the article are, or will be, in accordance with subitem 1.4.
- 1.3 For paragraph 1.2 (a), examples of an article the importation of which is for the purposes of the government of the Commonwealth, a State or a Territory are:
 - (a) an article to be supplied to the government under a contract in force when the article is to be imported; and

- (b) an article to be shown to the government to demonstrate its uses; and
- (c) an article that the government proposes to inspect, test or evaluate; and
- (d) an article that the government proposes to use for training; and
- (e) an article that has been given or donated to the government; and
- (f) an article that is to be consumed or destroyed in the course of testing related to a contract with the government of the Commonwealth, a State or a Territory.

1.4 For paragraph 1.2 (b), the ownership arrangements for an article are set out in the following table:

Table

Item	Article	Ownership arrangements
1	An article that is to be supplied to the government of the Commonwealth, a State or a Territory under a contract	Either: <ul style="list-style-type: none">(a) the government must own the article at the time of importation, and must retain ownership; or(b) the government must intend to acquire ownership of the article in a period that the Attorney-General considers appropriate (to be specified in the Attorney-General's permission), and must retain ownership

Note See item 3 of Part 3.

Item	Article	Ownership arrangements
2	An article that: <ul style="list-style-type: none"> (a) is to be shown to the government of the Commonwealth, a State or a Territory to demonstrate its uses; or (b) the government of the Commonwealth, a State or a Territory proposes to inspect, test, evaluate or use for training; or (c) is to be consumed or destroyed in the course of testing related to a contract with the government 	The article may be owned by any person <i>Note</i> See item 3 of Part 3.
3	An article that has been given or donated to the government of the Commonwealth, a State or a Territory	All of the following: <ul style="list-style-type: none"> (a) the article must have been given or donated to the government before importation; (b) the government must own the article at the time of importation; (c) the government must retain ownership
4	Any other article	The government must: <ul style="list-style-type: none"> (a) own the article at the time of importation; and (b) retain ownership

2. Specified purposes test

- 2.1 The importation of an article, being a firearm, a firearm accessory, a firearm part, a firearm magazine, ammunition or a component of ammunition to which the specified purposes test relates, complies with the test if the importer of the article produces to a Collector, at or before importation, the written permission of the Attorney-General for the importation of the article.
- 2.2 The Attorney-General must not give written permission for the importation of the article unless the Attorney-General is satisfied that:
- (a) the article:
 - (i) is of a type not available in Australia; and
 - (ii) is to be used in connection with the production of a film in a State or Territory in which the importer holds a licence or authorisation in accordance with the law of the State or Territory to possess an article of that type; and
 - (iii) is not to be used in an advertisement, a music video or another type of film promoting music or a product; or
 - (b) the article is of a type not available in Australia, and is to be used in the development of mountings for a laser target designator in a State or Territory in which the importer holds a licence or authorisation in accordance with the law of the State or Territory to possess an article of that type; or
 - (c) the article is ammunition, or a component of ammunition, to be imported in the following circumstances:
 - (i) the ammunition, or the component of ammunition, is to be imported as part of a contract to which a person in Australia is a party;
 - (ii) the person made the contract with the intention of supplying the ammunition, or the component of ammunition, to a person outside Australia, in a manner that will not contravene Australia's international obligations;

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- (iii) the contract will be in force when the ammunition, or the component of ammunition, is to be imported;
 - (iv) the Minister for Defence, or a person authorised for regulation 13E of the Customs (Prohibited Exports) Regulations, has stated, in writing, that a licence or permission to export the ammunition, or the component of ammunition, will be granted under that regulation; or
- (d) the article is to be imported in the following circumstances:
- (i) the article is to be imported for repairs, modification or testing, or for use in training, research or development, in a State or Territory;
 - (ii) the article is to be imported under a contract in force with:
 - (A) the government of the Commonwealth, a State or a Territory; or
 - (B) the government of a country other than Australia; or
 - (C) the United Nations;
 - (iii) the importer holds a licence or authorisation to possess the article in accordance with the law of the State or Territory where the article is to be repaired, modified or tested, or used in training, research or development;
 - (iv) the Minister for Defence, or a person authorised under regulation 13E of the *Customs (Prohibited Exports) Regulations 1958*, has stated, in writing, that a licence or permission to export the article after the repairs, modification or testing, or use in training, research or development, will be granted under that regulation; or
- (e) the article is to be imported in the following circumstances:
- (i) the article is to be imported only for transshipment to another country;

- (ii) the Minister for Defence or a person authorised for regulation 13E of the Customs (Prohibited Exports) Regulations, has granted a licence or permission to export the article; or
- (f) the article is to be imported in the following circumstances:
 - (i) the article is to be imported for use in a defence-sanctioned activity;
 - (ii) the article is owned by the defence force of another country;
 - (iii) the article is to be imported by:
 - (A) the defence force that is the owner of the article; or
 - (B) a member of that defence force to whom the article has been issued;
 - (iv) the defence force has been invited to participate in a defence-sanctioned activity;
 - (v) the Minister for Defence, or a person authorised under regulation 13E of the *Customs (Prohibited Exports) Regulations 1958*, has stated, in writing, that a licence or permission to export the article after close of the defence-sanctioned activity, will be granted under that regulation; or
- (g) the article is to be imported in the following circumstances:
 - (i) the importer's principal or sole occupation is the business of researching or developing firearms technology or other defence and law enforcement related products;
 - (ii) the importer has a proven history of developing or producing firearms technology or other defence and law enforcement related products for the government of the Commonwealth, a State or a Territory;
 - (iii) the importer holds a licence or authorisation to possess the article in accordance with the law of the State or Territory in which the article is to be used in research or development;

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- (iv) the article:
- (A) is being imported for the completion of a specific project or tender; and
 - (B) will be allowed to remain in the country for a specified period of time, commensurate with that project or tender; and
 - (C) will be exported or destroyed once that period of time has expired;
- (v) the Minister for Defence, or a person authorised under regulation 13E of the *Customs (Prohibited Exports) Regulations 1958*, has stated, in writing, that a licence or permission to export the article after the use in research or development will be granted under that regulation;
- (vi) the Attorney-General is satisfied that the article will be secured appropriately in Australia.

Examples of a film for paragraph 2.2 (a)

- a cinematographic film
- a film or documentary made specifically for television
- a television program or series.

3. Specified person test

- 3.1 The importation of an article, being a firearm, a firearm accessory, a firearm part, a firearm magazine, ammunition or a component of ammunition to which the specified person test relates, complies with the test if the importer of the article produces to a Collector, at or before importation, the written permission of the Attorney-General for the importation of the article.
- 3.2 The Attorney-General must not give written permission for the importation of the article unless the Attorney-General is satisfied that:
- (a) the importer of the article is a person whose principal or only occupation is the business of controlling vertebrate pest animals on rural land; and

- (b) the importer holds a licence or authorisation, in accordance with the law of the State or Territory in which the importer will carry out that occupation, to possess the article.

4. Police authorisation test

4.1 The importation of an article, being a firearm, a firearm accessory, a firearm part, a firearm magazine, ammunition, a component of ammunition or a replica to which the police authorisation test relates, complies with the test if:

- (a) the importer of the article has been given a statement, in an approved form, by a relevant police representative to the effect that the importer holds a licence or authorisation according to the law of the relevant State or Territory to possess the article, or that a licence or authorisation to possess the article is not required under the law of the relevant State or Territory; and
- (b) for a category C article — the importer has also been given a certificate, in an approved form, by a relevant police representative certifying that the importer is a primary producer; and
- (c) for a category H article (except a category H article to which subitem 4.2 applies) — the importer has also been given a certificate, in an approved form, by a relevant police representative certifying that the importer:
 - (i) is a certified sports shooter for the article; or
 - (ii) is a certified international sports shooter for the article; or
 - (iii) is certified for business or occupational purposes for the article; or
 - (iv) is a certified collector for the article; and
- (d) the importer produces to a Collector, at or before importation:
 - (i) the statement in the approved form; and
 - (ii) if the article is a category C or category H article, the certificate in the approved form.

Note The importer can produce the statement, or statement and certificate, personally or by an agent, eg a firearm dealer.

- 4.2 This subitem applies to a category H article if the importer of the article is the government of the Commonwealth, a State or a Territory.

5. Sports shooter test

- 5.1 The importation of a restricted category C article complies with the sports shooter test if the importer of the article produces to a Collector, at or before importation, the written permission of the Attorney-General for the importation of the article.
- 5.2 The Attorney-General must not give written permission for the importation of the article unless the importer is a certified sports shooter for the article.

5A. International sports shooter test

- 5A.1 The importation of a restricted category C article complies with the international sports shooter test if the importer of the article produces to a Collector, at or before importation, the written permission of the Attorney-General for the importation of the article.
- 5A.2 The Attorney-General must not give written permission for the importation of the article unless the importer is a certified international sports shooter for the article.

6. Dealer test — category C article

- 6.1 The importation of a category C article complies with the dealer test if the importer of the article produces to a Collector, at or before importation, the written permission of the Attorney-General for the importation of the article.
- 6.2 The Attorney-General must not give written permission for the importation of the article unless the Attorney-General is satisfied that:
- (a) the importer is a licensed firearm dealer; and

- (b) if the importation of the article is stated by the importer to be for demonstration or testing purposes:
 - (i) the article is to be used by the importer for the purpose of demonstrating its uses or for inspection, testing or evaluation purposes; and
 - (ii) the importation of the article will not result in the importer having in Australia (excluding any category C article imported in compliance with a test other than the dealer test):
 - (A) more than one of a particular model of category C article that has been imported for demonstration or testing purposes; or
 - (B) more than a total of 5 category C articles that have been imported for demonstration or testing purposes.

7. Dealer test — category H article

7.1 The importation of a category H article complies with the dealer test if:

- (a) the importer carries on the business of a firearm dealer; and
- (b) the importer of the article has been given a statement, in an approved form, by a relevant police representative to the effect that:
 - (i) the importer holds a licence or authorisation, in accordance with the law of the State or Territory where the importer carries on the business, to possess category H articles; and
 - (ii) the licence or authorisation has not been suspended, cancelled or otherwise ceased to have effect; and
- (c) the importer gives the statement to a Collector at or before importation.

Note The importer may give the statement to a Collector personally or by an agent, for example, an employee of the importer.

8. Returned goods test

8.1 The importation of:

- (a) a firearm; or
- (b) a firearm accessory; or
- (c) a firearm part; or
- (d) a firearm magazine; or
- (e) ammunition; or
- (f) a component of ammunition;

to which the returned goods test relates complies with the returned goods test if the importer of the article produces to a Collector, at or before importation, the written permission of the Attorney-General for the importation of the article.

8.2 The Attorney-General must not give written permission for the importation of the article unless the Attorney-General is satisfied that:

- (a) the article had previously been exported in accordance with a licence or permission under regulation 13E of the *Customs (Prohibited Exports) Regulations 1958*; and
- (b) the last importation (if any) of the article before that export:
 - (i) was a lawful importation; and
 - (ii) was not subject to a condition that the article was to be exported after importation; and
- (c) no modification of the article has been carried out since that export; and
- (d) the importer holds a licence or authorisation to possess the article in accordance with the laws of the State or Territory in which the importer resides.

8.3 In subitem 8.2:

modification does not include repairs.

Schedule 6	Requirements for the importation of firearms, firearm accessories, firearm parts, firearms magazines, ammunition, components of ammunition and replicas
Part 2	Requirements for specific firearms, firearm accessories, firearm parts, firearm magazines, ammunition, components of ammunition and replicas

**Part 2 Requirements for specific firearms,
firearm accessories, firearm parts,
firearm magazines, ammunition,
components of ammunition and replicas**

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
1	<p>Any of the following firearms, other than a firearm that is:</p> <p>(a) fitted, whether by original design or by modification, with a folding or detachable stock; and</p> <p>(b) capable of being fired when the stock is in the folded position or removed.</p> <p>Air rifle. Soft air rifle. Rimfire rifle, other than a self-loading rimfire rifle. Single shot shotgun. Double barrel shotgun.</p>	<p>For a firearm, other than a soft air rifle:</p> <p>(a) the importation must comply with at least 1 of the following tests:</p> <p>(i) the official purposes test;</p> <p>(ii) the specified purposes test;</p> <p>(iii) the specified person test;</p> <p>(iv) the Police authorisation test; and</p> <p>(b) if the firearm was manufactured on or after 1 January 1900 — the firearm must bear a unique serial number; and</p> <p>(c) if item 1 of Part 3 of this Schedule applies to the firearm — the firearm must comply with the safety requirements set out in the item.</p>

Requirements for the importation of firearms, firearm accessories, firearm parts, firearms magazines, ammunition, components of ammunition and replicas

Schedule 6

Requirements for specific firearms, firearm accessories, firearm parts, firearm magazines, ammunition, components of ammunition and replicas

Part 2

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
		For a soft air rifle: (a) the importation must comply with the Police authorisation test; and (b) if the firearm was manufactured on or after 1 January 1900 — the firearm must bear a unique serial number; and (c) if item 1 of Part 3 of this Schedule applies to the firearm — the firearm must comply with the safety requirements set out in the item.
1A	A replica of a firearm mentioned in item 1, other than a replica that is fitted, whether by original design or by modification, with a folding or detachable stock.	The importation must comply with the Police authorisation test.
2	Any of the following firearms, other than a firearm that is: (a) fitted, whether by original design or by modification, with a folding or detachable stock; and	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the specified person test; (d) the Police authorisation test.

Schedule 6	Requirements for the importation of firearms, firearm accessories, firearm parts, firearms magazines, ammunition, components of ammunition and replicas
Part 2	Requirements for specific firearms, firearm accessories, firearm parts, firearm magazines, ammunition, components of ammunition and replicas

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
	<p>(b) capable of being fired when the stock is in the folded position or removed.</p> <p>Muzzle-loading firearm.</p> <p>Single shot centre fire rifle.</p> <p>Double barrel centre firing rifle.</p> <p>Repeating action centre fire rifle.</p> <p>Break-action shotgun/rifle combination.</p> <p>Repeating bolt action shot gun.</p> <p>Lever action shot gun.</p>	<p>If the firearm was manufactured on or after 1 January 1900, the firearm must bear a unique serial number.</p> <p>If item 1 of Part 3 of this Schedule applies to the firearm, the firearm must comply with the safety requirements set out in the item.</p>
2A	A replica of a firearm mentioned in item 2, other than a replica that is fitted, whether by original design or by modification, with a folding or detachable stock.	The importation must comply with the Police authorisation test.
3	<p>Any of the following firearms, other than a firearm that is:</p> <p>(a) fitted, whether by original design or by modification, with a folding or detachable stock; and</p>	<p>For a self-loading rimfire rifle:</p> <p>(a) the importation must comply with at least 1 of the following tests:</p> <p>(i) the official purposes test;</p> <p>(ii) the specified purposes test;</p>

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
	(b) capable of being fired when the stock is in the folded position or removed.	(iii) the specified person test;
	Self-loading rimfire rifle:	(iv) the Police authorisation test;
	(a) without a firearm magazine; or	(v) the dealer test;
	(b) fitted with a firearm magazine of a capacity no greater than 10 rounds.	(vi) the returned goods test; and
	Self-loading shotgun:	(b) if the firearm was manufactured on or after 1 January 1900 — the firearm must bear a unique serial number; and
	(a) without a firearm magazine; or	(c) if item 1 of Part 3 of this Schedule applies to the firearm — the firearm must comply with the safety requirements set out in the item.
	(b) fitted with a firearm magazine of a capacity no greater than 5 rounds.	
	Pump action repeating shotgun:	For a self-loading shotgun or pump action repeating shotgun:
	(a) without a firearm magazine; or	(a) the importation must comply with at least 1 of the following tests:
	(b) fitted with a firearm magazine of a capacity no greater than 5 rounds.	(i) the official purposes test;
		(ii) the specified purposes test;
		(iii) the specified person test;
		(iv) the Police authorisation test;
		(v) the sports shooter test;

Schedule 6	Requirements for the importation of firearms, firearm accessories, firearm parts, firearms magazines, ammunition, components of ammunition and replicas
Part 2	Requirements for specific firearms, firearm accessories, firearm parts, firearm magazines, ammunition, components of ammunition and replicas

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
		<ul style="list-style-type: none"> (vi) the international sports shooter test; (vii) the dealer test; (viii) the returned goods test; and
		(b) if the firearm was manufactured on or after 1 January 1900 — the firearm must bear a unique serial number; and
		(c) if item 1 of Part 3 of this Schedule applies to the firearm — the firearm must comply with the safety requirements set out in the item.
3A	A replica of a firearm mentioned in item 3, other than a replica that is fitted, whether by original design or by modification, with a folding or detachable stock.	The importation must comply with the Police authorisation test.
4	Firearm part of, or for, a firearm to which item 1, 2 or 3 applies, other than a firearm part which is capable of converting, either on its own or in conjunction with other parts, a firearm with a single or repeating action to a self-loading or fully automatic firearm.	<p>For a part of, or for, a self-loading rimfire rifle, the importation must comply with at least 1 of the following tests:</p> <ul style="list-style-type: none"> (a) the official purposes test; (b) the specified purposes test; (c) the specified person test; (d) the Police authorisation test; (e) the dealer test;

Requirements for the importation of firearms, firearm accessories,
firearm parts, firearms magazines, ammunition, components of
ammunition and replicas

Schedule 6

Requirements for specific firearms, firearm accessories, firearm
parts, firearm magazines, ammunition, components of ammunition
and replicas

Part 2

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
		(f) the returned goods test. For a part of, or for, a self-loading shotgun or pump action repeating shotgun mentioned in item 3, the importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the specified person test; (d) the Police authorisation test; (e) the sports shooter test; (f) the international sports shooter test; (g) the dealer test; (h) the returned goods test. For a part of, or for, another firearm, the importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the specified person test; (d) the Police authorisation test.
5	Firearm accessory for a firearm to which item 1, 2, 3 or 14A applies.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the returned goods test.

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Part 2	Requirements for specific firearms, firearm accessories, firearm parts, firearm magazines, ammunition, components of ammunition and replicas

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
6	<p>Any of the following firearms, unless:</p> <p>(a) fitted, whether by original design or by modification, with a folding or detachable stock; and</p> <p>(b) capable of being fired when the stock is in the folded position or removed.</p> <p>Self-loading centre fire rifle.</p> <p>Self-loading rimfire rifle fitted with a firearm magazine of a capacity greater than 10 rounds.</p> <p>Self-loading shotgun fitted with a firearm magazine of a capacity greater than 5 rounds.</p> <p>Pump action repeating shotgun fitted with a firearm magazine of a capacity greater than 5 rounds.</p>	<p>The importation must comply with at least 1 of the following tests:</p> <p>(a) the official purposes test;</p> <p>(b) the specified purposes test;</p> <p>(c) the specified person test;</p> <p>(d) the returned goods test.</p> <p>If the firearm was manufactured on or after 1 January 1900, the firearm must bear a unique serial number.</p> <p>If item 1 of Part 3 of this Schedule applies to the firearm, the firearm must comply with the safety requirements set out in the item.</p>
6A	A replica of a firearm mentioned in item 6, other than a replica that is fitted, whether by original design or by modification, with a folding or detachable stock.	The importation must comply with the Police authorisation test.

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parts, firearm magazines, ammunition, components of ammunition
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Part 2

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
7	Firearm part of, or for, a firearm to which item 6 applies, other than a firearm part which is capable of converting, either on its own or in conjunction with other parts, a firearm with a single or repeating action to a self-loading or fully automatic firearm.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the specified person test; (d) the returned goods test.
8	Firearm accessory for a firearm to which item 6 applies.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the returned goods test.
9	Any of the following firearms (including complete, but disassembled or unassembled, firearms), unless the firearm: (a) has a fully automatic firing capability; or (b) resembles in appearance a sub-machine gun, a machine pistol or a handgun that has a fully automatic firing capability. Handgun. Soft air handgun.	For a handgun: (a) the importation must comply with at least 1 of the following tests: (i) the official purposes test; (ii) the specified purposes test; (iii) the specified person test; (iv) the Police authorisation test; (v) the dealer test; (vi) the returned goods test; and

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Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
		<p>(b) if the firearm was manufactured on or after 1 January 1900 — the firearm must bear a unique serial number; and</p> <p>(c) if item 1 of Part 3 of this Schedule applies to the firearm — the firearm must comply with the safety requirements set out in the item.</p> <p>For a soft air handgun:</p> <p>(a) the importation must comply with at least 1 of the following tests:</p> <ul style="list-style-type: none"> (i) the Police authorisation test; (ii) the dealer test; and <p>(b) if the firearm was manufactured on or after 1 January 1900 — the firearm must bear a unique serial number; and</p> <p>(c) if item 1 of Part 3 of this Schedule applies to the firearm — the firearm must comply with the safety requirements set out in the item.</p>

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Part 2

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
9A	A replica of a firearm mentioned in item 9, other than a replica that resembles in appearance a sub-machine gun, a machine pistol or a handgun that has a fully automatic firing capability.	The importation must comply with the Police authorisation test.
9B	A frame or receiver of, or for, a firearm to which item 9 applies	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the specified person test; (d) the Police authorisation test; (e) the dealer test; (f) the returned goods test.
10	Firearm part (other than a frame or receiver) of, or for, a firearm to which item 9 applies, other than a firearm part which is capable of converting, either on its own or in conjunction with other parts, a firearm with a single or repeating action to a self-loading or fully automatic firearm.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the specified person test; (d) the Police authorisation test; (e) the returned goods test.
11	Firearm accessory for a firearm to which item 9 applies.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the returned goods test.

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Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
12	Firearm, not being a firearm to which item 1, 2, 3, 6 or 9 applies.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the returned goods test. If the firearm was manufactured on or after 1 January 1900, the firearm must bear a unique serial number.
12A	A replica of a firearm, not being a firearm to which item 1, 2, 3, 6 or 9 applies.	The importation must comply with the Police authorisation test.
13	Firearm part of, or for, a firearm, not being a firearm to which item 1, 2, 3, 6, 9 or 13A applies.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the returned goods test.
13A	Firearm part which is capable of converting, either on its own or in conjunction with other parts, a firearm with a single or repeating action to a self-loading or fully automatic firearm.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the returned goods test.
14	Firearm accessory for a firearm, not being a firearm to which item 1, 2, 3, 6 or 9 applies.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the returned goods test.

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parts, firearm magazines, ammunition, components of ammunition
and replicas

Part 2

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
14A	<p>Any of the following firearms, unless the firearm:</p> <p>(a) has a fully automatic firing capability; or</p> <p>(b) resembles in appearance a sub-machine gun, an assault rifle, a machine gun, a machine pistol or a handgun that has a fully automatic firing capability.</p> <p>Single shot paintball marker designed exclusively to fire paintballs.</p> <p>Repeating action paintball marker designed exclusively to fire paintballs.</p> <p>Self-loading paintball marker designed exclusively to fire paintballs.</p> <p>A firearm part of, or for, a paintball marker mentioned in this item.</p>	<p>The importation must comply with the Police authorisation test.</p> <p>If the firearm was manufactured on or after 1 January 1900, the firearm must bear a unique serial number.</p> <p>If item 1 of Part 3 of this Schedule applies to the firearm, the firearm must comply with the safety requirements set out in the item.</p>

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Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
15	Detachable firearm magazine, having a capacity of more than 5 rounds, for: (a) self-loading centre-fire rifles and fully automatic centre-fire rifles; or (b) self-loading shotguns, fully automatic shotguns and pump-action shotguns; whether or not attached to a firearm.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified person test; (c) the specified purposes test; (d) the returned goods test.
16	Detachable firearm magazine, having a capacity of more than 10 rounds, for: (a) rimfire self-loading rifles; or (b) pump-action or lever action centre-fire rifles; whether or not attached to a firearm.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the specified person test; (d) the returned goods test.
16A	Detachable firearm magazine, having a capacity of more than 15 rounds, for repeating action centre-fire rifles other than a pump-action or lever action centre-fire rifle, whether or not attached to a firearm.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the specified person test; (d) the returned goods test.

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
17	Firearm magazine, other than a firearm magazine to which item 15, 16 or 16A applies, whether or not attached to a firearm.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the Police authorisation test; (c) the specified purposes test; (d) the returned goods test.
18	Device that increases the capacity of an integral firearm magazine or a tubular firearm magazine, whether or not attached to a firearm.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the returned goods test.
19	Ammunition of the following kinds for a firearm to which item 1, 2, 3, 6, 9 or 12 applies: (a) ammunition that has, as part of the components (either assembled or separate), a projectile known as any of the following kinds: (i) tracer; (ii) frangible; (iii) explosive; (iv) incendiary; (v) armour piercing; (vi) penetrator; (vii) sabot light armour piercing (SLAP); (ix) flechette (being a combined collection of arrows or spears);	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the returned goods test.

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Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
	(b) handgun ammunition that is designed, advertised or capable of defeating: <ul style="list-style-type: none"> (i) soft body armour; or (ii) opaque or glazed bullet resistant material. 	
20	Ammunition for any firearm to which item 1, 2, 3, 6, 9, 12 or 14A applies, other than ammunition to which item 19 applies.	The importation must comply with at least 1 of the following tests: <ul style="list-style-type: none"> (a) the official purposes test; (b) the specified purposes test; (c) the Police authorisation test.
21	A component of ammunition for a firearm to which item 1, 2, 3, 6, 9 or 12 applies, if the component is one of the following kinds of projectile: <ul style="list-style-type: none"> (a) tracer; (b) frangible; (c) explosive; (d) incendiary; (e) armour piercing; (f) penetrator; (g) sabot light armour piercing (SLAP); (h) flechette (a combined collection of arrows or spears). 	The importation must comply with at least 1 of the following tests: <ul style="list-style-type: none"> (a) the official purposes test; (b) the specified purposes test; (c) the returned goods test.

Column 1	Column 2	Column 3
Item	Firearm, firearm accessory, firearm part, firearm magazine, ammunition, component of ammunition or replica	Requirements
22	A component of ammunition for a firearm to which item 9 applies, if the component is designed, advertised or capable of defeating: (a) soft body armour; or (b) opaque or glazed bullet resistant material.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the returned goods test.
23	A component of ammunition for a firearm to which item 1, 2, 3, 6, 9 or 12 applies, other than a component to which items 21 and 22 apply.	The importation must comply with at least 1 of the following tests: (a) the official purposes test; (b) the specified purposes test; (c) the Police authorisation test.

Part 3 **Conditions relating to the importation of firearms, firearm accessories, firearm parts, firearm magazines, ammunition, components of ammunition and replicas**

1. Safety requirements for firearms

1.1 The safety requirements do not apply to a firearm if the importation of the firearm complies with:

- (a) the official purposes test; or
- (b) the specified purposes test.

1.2 The safety requirements do not apply:

- (a) to a firearm that:
 - (i) was manufactured before 1 January 1900; or

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- (ii) is designed or adapted for competition target shooting; or
- (b) to a replica; or
- (c) to a deactivated firearm.

1.3 The safety requirements do not apply to a firearm if the importer of the firearm produces to a Collector, at the time of importation, evidence, in the form of:

- (a) a restricted goods permit; or
- (b) an export permit issued by the Department of Defence; that the firearm had previously been exported from Australia by the importer.

1.4 The safety requirements do not apply to a firearm if:

- (a) the importer is:
 - (i) entitled, under a visa issued under the *Migration Act 1958*, to enter, or remain in, Australia for a period of not more than 1 year; or
 - (ii) entitled, under a New Zealand passport to enter, or remain in, Australia; and
- (b) the importer produces to a Collector, at or before the time of importation:
 - (i) documentary evidence to the effect that the importer is to be a participant in a lawful competition organised by a shooting organisation, or in a lawful hunting activity; and
 - (ii) the licence or authorisation, in accordance with the law of each State or Territory where any competition or hunting activity referred to in the documentary evidence is to be conducted, to possess the firearm; and
- (c) if the importer is referred to in subparagraph (a) (i) — the firearm is to be exported not later than the expiry of the relevant visa; and
- (d) if the importer is referred to in subparagraph (a) (ii) — the firearm is to be exported not later than 1 year after the date of its importation.

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- 1.5 A firearm, other than:
- (a) a firearm to which the safety requirements do not apply because of subitem 1.1, 1.2, 1.3 or 1.4; or
 - (b) a firearm mentioned in subitem 1.10;
must comply with the requirements of subitems 1.6 to 1.9 (inclusive), tested in accordance with arrangements approved, in writing by the Attorney-General.
- 1.5A A firearm is taken to comply with the requirements of either subitems 1.6 to 1.9 (inclusive) or subitem 1.10 if:
- (a) it is tested in accordance with procedures approved by the Minister, and complies with the requirements; or
 - (b) each of the following applies:
 - (i) the firearm is included in a consignment of firearms;
 - (ii) a sample of the items in the consignment is selected for testing in accordance with procedures approved by the Minister;
 - (iii) the result of the testing of the sample is that each firearm in the sample complies with the requirements.
- 1.6 The firearm, fully cocked and with the safety catch or safety notch (if any) disengaged, must not operate so as to discharge if:
- (a) it is held with the barrel vertical and dropped 3 times, being re-cocked after each drop, from a height of at least 35 centimetres and not more than 45 centimetres butt-first onto a rubber mat that:
 - (i) is 25 millimetres thick; and
 - (ii) has a hardness reading (in this item called the ***appropriate hardness reading***) of 75/85 when tested in accordance with Part 15 of Australian Standard 1683-1976 (“Indentation Hardness of Rubber and Plastics by means of a Durometer”), published on 1 September 1976; or

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- (b) it is struck not more than 6 times at various points along its length by a rubber hammer that:
 - (i) has a head that weighs 450 grams, and has the appropriate hardness reading, and is held at the end of the handle with the head 30 centimetres above the point to be struck; and
 - (ii) is allowed to fall under its own weight once at each of those points, with no pressure being exerted on the trigger and with the firearm being recocked after each blow; or
 - (c) in the case of a firearm having an exposed hammer or exposed hammers or having a bolt action, each hammer or bolt tail is struck once by a rubber hammer that:
 - (i) has a head that weighs 450 grams and has the appropriate hardness reading; and
 - (ii) is held at the end of the handle with the head 30 centimetres above the point to be struck; and
 - (iii) is allowed to fall under its own weight.
- 1.6A If the firearm has an exposed hammer or cocking device or exposed hammers or cocking devices, the firearm must not discharge if, on 3 consecutive occasions:
- (a) each hammer or cocking device is moved back towards the cocked position; and
 - (b) immediately before the sear engages the bent or bents in the fully cocked position, and with no pressure being applied to the trigger, the hammer or cocking device is released and allowed to travel forward under the pressure of the spring.
- 1.7 Unless the firearm is fitted with an adjustable trigger or triggers, the trigger mechanism must not operate when a force of less than or equal to 11 newtons is exerted on the central point of the trigger in the direction in which the trigger operates.
- 1.8 The firearm must be fitted with an effective trigger guard.

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- 1.9 The firearm must, unless it is a hammer firearm fitted with a half-cock mechanism or safety bent, be fitted with a mechanical or electronic safety device that:
- (a) when engaged in the “safe” position, prevents discharge of the firearm; and
 - (b) can be disengaged only by:
 - (i) for an external safety device — distinct pressure on the device; or
 - (ii) for an integral safety device — sustained pressure on the trigger; and
 - (c) for an applied, external, safety device — clearly indicates when the firearm is able to discharge.
- 1.10 For a firearm mentioned in item 14A of Part 2 of Schedule 6, the firearm:
- (a) must be fitted with an effective trigger guard; and
 - (b) must be fitted with a safety device (either mechanical or electronic) that:
 - (i) when engaged in the “safe” position — prevents discharge of the firearm; and
 - (ii) can be disengaged only by:
 - (A) for an external safety device — distinct pressure on the device; or
 - (B) for an integral safety device — sustained pressure on the trigger; and
 - (iii) for an applied, external safety device, clearly indicates when the firearm is able to discharge.
- 1.11 The firearm must not:
- (a) contain parts; or
 - (b) be the subject of any modification, corrosion, damage or alteration;
- which would make the firearm unsafe in its use.

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2. Specified purposes test

- 2.1 The importation of an article in accordance with the specified purposes test is subject to the condition that the importer of the article must:
- (a) unless the article has been destroyed, export the article within the period, after importation, mentioned in the Attorney-General's permission; and
 - (b) comply with any condition or requirement specified, in relation to the article, in the permission.

3. Official purposes test

- 3.1 The importation, in accordance with the official purposes test, of an article to be supplied to the government of the Commonwealth, a State or a Territory under a contract is subject to the following conditions:
- (a) if the government does not acquire ownership of the article in the period, after importation, mentioned in the Attorney-General's permission, the importer must export the article as soon as practicable;
 - (b) the importer must comply with any condition or requirement specified, in relation to the article, in the Attorney-General's permission.
- 3.2 The importation, in accordance with the official purposes test, of an article to be shown to the government of the Commonwealth, a State or a Territory to demonstrate its uses is subject to the following conditions:
- (a) unless the article has been destroyed, or the government has acquired ownership of the article within the period, after importation, mentioned in the Attorney-General's permission, the importer must export the article as soon as practicable;
 - (b) the importer must comply with any condition or requirement specified, in relation to the article, in the Attorney-General's permission.

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- 3.3 The importation, in accordance with the official purposes test, of an article that the government of the Commonwealth, a State or a Territory proposes to inspect, test or evaluate is subject to the following conditions:
- (a) unless the article has been destroyed, or the government has acquired ownership of the article within the period, after importation, mentioned in the Attorney-General's permission, the importer must export the article as soon as practicable;
 - (b) the importer must comply with any condition or requirement specified, in relation to the article, in the Attorney-General's permission.
- 3.4 The importation, in accordance with the official purposes test, of an article that the government of the Commonwealth, a State or a Territory proposes to use for training is subject to the following conditions:
- (a) unless the article has been destroyed, or the government has acquired ownership of the article within the period, after importation, mentioned in the Attorney-General's permission, the importer must export the article as soon as practicable;
 - (b) the importer must comply with any condition or requirement specified, in relation to the article, in the Attorney-General's permission.

3A. International sports shooter test

- 3A.1 The importation, in accordance with the international sports shooter test, of a restricted category C article is subject to the following conditions:
- (a) the importer must export the article in the period, after importation, mentioned in the Attorney-General's permission (unless the article has been destroyed);
 - (b) the importer must comply with any condition or requirement specified, in relation to the article, in the Attorney-General's permission.

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4. Dealer test — category C article

- 4.1 The importation, in accordance with the dealer test, of a category C article is subject to the condition that the importer must comply with:
- (a) the conditions mentioned in subitem 4.2; or
 - (b) if the importation of the article is stated by the importer to be for demonstration or testing purposes, the conditions mentioned in subitem 4.3.
- 4.2 For paragraph 4.1 (a), the conditions are as follows:
- (a) the importer must not sell the article except to:
 - (i) a certified buyer for the article; or
 - (ii) a certified primary producer; or
 - (iii) if the article is a restricted category C article, a certified sports shooter for the article;
 - (b) the importer must store the article with a Collector, or a person authorised by a Collector, until:
 - (i) the article has been sold to a person mentioned in subparagraph (a) (i) or (ii) or, if the article is a restricted category C article, to a person mentioned in subparagraph (a) (iii); and
 - (ii) the importer declares to a Collector, in an approved form, that the article has been sold to that person; and
 - (iii) the importer produces to a Collector satisfactory evidence that:
 - (A) the sale has happened; and
 - (B) the buyer is a person mentioned in subparagraph (a) (i) or (ii) or, if the article is a restricted category C article, a person mentioned in subparagraph (a) (iii).
- 4.3 For paragraph 4.1 (b), the conditions are as follows:
- (a) the importer must not use the article except for the purpose of demonstrating its uses or for inspection, testing or

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- evaluation purposes, during the period, after importation, mentioned in the Attorney-General's permission;
- (b) the importer must retain ownership and possession of the article, during the period, after importation, mentioned in the Attorney-General's permission, unless the article is exported or destroyed;
 - (c) the importer must, after the period mentioned in the Attorney-General's permission:
 - (i) retain the article for the purpose of demonstrating its uses for inspection; or
 - (ii) export the article; or
 - (iii) destroy the article; or
 - (iv) deal with the article in accordance with paragraph 4.2 (a).

5. Dealer test — category H article

5.1 In this item:

category H (dealer stock) article means a category H article that has been imported under the dealer test in item 7 of Part 1, and is held by:

- (a) the person by whom it was imported; or
- (b) a person who acquired it from the person by whom it was imported.

licensed firearm dealer means a licensed firearm dealer for category H articles.

5.2 The importation, in accordance with the dealer test, of a category H article is subject to the condition that the importer must comply with subitems 5.3, 5.4, 5.5 and 5.6.

5.3 The importer must store the article with a Collector, or a person authorised by a Collector, unless:

- (a) the importer:
 - (i) produces to a Collector a certificate stating that the importer is certified for stock purposes for a

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specified number of category H (dealer stock) articles; and

- (ii) gives a written declaration to a Collector stating that:
 - (A) the importer holds a licence or authorisation, in accordance with the law of the State or Territory where the importer carries on the business of a firearm dealer, to possess category H articles; and
 - (B) the licence or authorisation has not been suspended, cancelled or otherwise ceased to have effect; and
 - (C) the release of the article to the importer will not result in the importer holding for stock purposes more than the number of category H (dealer stock) articles that the importer is certified to hold for those purposes; or
- (b) the importer produces to a Collector an export permit issued by the Department of Defence that permits the article to be exported from Australia by the importer.

5.4 The importer may only dispose of the article:

- (a) to a person (other than a licensed firearm dealer) who holds a licence or authorisation, in accordance with the law of a State or Territory, to possess the article; or
- (b) to a person who holds a written authority or permission given by a relevant police representative stating that the person is not required to hold a licence or authorisation, in accordance with the law of the relevant State or Territory, to possess the article; or
- (c) to a person who is certified for stock purposes for a specified number of category H (dealer stock) articles; or
- (d) by exporting the article.

5.5A For paragraph 5.4 (a), if the importer proposes to dispose of the category H article to a person who holds a licence for the

purpose of taking part in sports shooting, the article must comply with subitem 1.3 of Part 4 of this Schedule.

5.5 If the importer disposes of the article in a way authorised by subitem 5.4, the importer must give to a Collector, at the time the importer next seeks a release of category H (dealer stock) articles to be held by the importer for stock purposes:

- (a) a written declaration by the importer:
 - (i) stating that the importer has disposed of the article in a way authorised by subitem 5.4; and
 - (ii) giving details of the disposal; and
- (b) if the disposal was to a person mentioned in paragraph 5.4 (c) — a written declaration by the person stating that:
 - (i) the person holds a licence or authorisation, in accordance with the law of the State or Territory where the person carries on the business of a firearm dealer, to possess category H articles; and
 - (ii) the licence or authorisation has not been suspended, cancelled or otherwise ceased to have effect; and
 - (iii) the acquisition by the person will not result in the person holding for stock purposes more than the number of category H (dealer stock) articles that the person is certified to hold for those purposes.

5.6 If the importer disposes of a category H (dealer stock) article held by the importer for stock purposes to a person mentioned in paragraph 5.4 (c), the importer must give to the CEO, or an authorised officer, within 7 days after the disposal, a copy of the declarations mentioned in paragraphs 5.5 (a) and (b) that relate to the disposal, unless the importer has already given the declarations to the Collector under subitem 5.5.

5.7 For this item, a person is *certified for stock purposes*, for a specified number of category H (dealer stock) articles, if:

- (a) the person is a licensed firearm dealer; and
- (b) the person holds a certificate that:
 - (i) was issued by the CEO or an authorised officer; and

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- (ii) states that the person is certified, for a specified period, to hold that number of category H (dealer stock) articles for stock purposes; and
- (c) the certificate has not:
 - (i) been cancelled at the request of the person; or
 - (ii) been revoked by the CEO, or an authorised officer, under subitem 5.12; or
 - (iii) otherwise ceased to have effect.

5.8 For subitem 5.7, a person who is a licensed firearm dealer may apply to the CEO, or an authorised officer, for a certificate stating that the person is certified, for a specified period, to hold a specified number of category H (dealer stock) articles for stock purposes.

5.9 An application by a person for a certificate under subitem 5.8 must:

- (a) be accompanied by a copy of the person's licence or authorisation, in accordance with the law of the State or Territory where the person carries on the business of a firearm dealer, to possess category H articles; and
- (b) in the case of a person who has applied to be certified to hold more than 10 category H (dealer stock) articles for stock purposes — include the following:
 - (i) details of any previous relevant disposals, within the meaning given by subitem 5.13, made by the person;
 - (ii) satisfactory evidence about the number of category H (dealer stock) articles likely to be required by the person, in the period of 6 months after the issue of the certificate, for disposal purposes or other commercial purposes (for example, demonstration or testing purposes or use in the film and television industry);
 - (iii) a statement to the effect that each place where the person intends to store the category H (dealer stock) articles to be held for stock purposes meets the

requirements of the law of the State or Territory where the place is;

- (iv) a statement to the effect that the person has met the firearms record-keeping requirements, under the law of the State or Territory where the person carries on business as a firearm dealer, in relation to the person's business (having regard, in particular, to the accuracy and timeliness of the person's records);
- (v) details of any firearms-related offence committed by the person within the period of 10 years immediately before the date of the application in respect of which a conviction was recorded;
- (vi) a statement to the effect that the person consents to criminal records being checked for the purpose of deciding whether to issue the certificate to the person.

5.10 If:

- (a) the CEO, or an authorised officer, receives an application from a person for a certificate under subitem 5.8; and
- (b) the CEO, or authorised officer, is satisfied, having regard to the application and any other relevant information, that it is appropriate for the person to hold a number (which may or may not be the number specified in the application) of category H (dealer stock) articles for stock purposes;

the CEO, or authorised officer, may issue a certificate to the person stating that the person is certified, for a specified period, to hold that number of category H (dealer stock) articles for stock purposes.

5.11 A person who is certified for stock purposes for a specified number of category H (dealer stock) articles must, as soon as practicable after any change in the person's circumstances in relation to the person's business as a firearm dealer, inform the CEO, or an authorised officer, in writing, of the change.

Examples of circumstances

- 1 The person ceases to be a licensed firearm dealer.

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2 The place where the person is storing category H (dealer stock) articles no longer meets the requirements of the law of the State or Territory where the place is.

3 The person does not need to hold the number of category H (dealer stock) articles that the person is certified to hold.

4 The person has been convicted of a firearms-related offence.

5.12 The CEO, or an authorised officer, may revoke a certificate issued to a person under subitem 5.10 if:

- (a) the person ceases to be a licensed firearm dealer; or
- (b) a place where the person stores category H (dealer stock) articles held for stock purposes does not meet the requirements of the law of the State or Territory where the place is; or
- (c) in the case of a person who is certified to hold more than 10 category H (dealer stock) articles for stock purposes — the number of category H (dealer stock) articles that the person is certified to hold for stock purposes is not appropriate, having regard to:
 - (i) the average monthly number of category H (dealer stock) articles disposed of by the person under the certificate in the period of 6 months immediately before the date of revocation; and
 - (ii) evidence supplied by the person in relation to the number of category H (dealer stock) articles likely to be required by the person, in the period of 6 months after the date of revocation, for disposal purposes or for other commercial purposes (for example, demonstration or testing purposes or use in the film and television industry); or
- (d) the person has made a false or misleading statement in:
 - (i) an application for a certificate made under subitem 5.8; or
 - (ii) a declaration made for the purposes of subparagraph 5.3 (a) (ii) or subitem 5.5; or
- (e) the person is holding more category H (dealer stock) articles for stock purposes than the person is certified to hold for those purposes; or

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- (f) the person has been convicted of a firearms-related offence committed within the period of 10 years immediately before the date of revocation; or
 - (g) the person has failed to inform the CEO, or an authorised officer, of any change in the person's circumstances in relation to the person's business as a firearm dealer; or
 - (h) the CEO is satisfied, having regard to any other relevant matter, that it is not appropriate for the person to hold any category H (dealer stock) articles for stock purposes.

Example of a relevant matter for paragraph (h)

The person has been convicted of an offence involving misrepresentation, or other fraudulent conduct, against a law of the Commonwealth, a State or a Territory, being an offence committed within the period of 10 years immediately before the date of revocation.

5.13 For subparagraph 5.9 (b) (i), ***previous relevant disposals***, for a person who has applied under subitem 5.8 to be certified to hold more than 10 category H (dealer stock) articles for stock purposes, means:

- (a) if the person has not previously applied for a certificate under subitem 5.8 and the application is made before 30 June 2001 — the average monthly number of firearms of the kind mentioned in item 9 of Part 2 of this Schedule, as in force immediately before 18 August 2000, that were disposed of by the person in the period from 18 February 2000 to 17 August 2000 (inclusive); and
- (b) if the person has not previously applied for a certificate under subitem 5.8 and the application is made on or after 1 July 2001 — the average monthly number of category H articles that were disposed of by the person in the period of 6 months immediately before the date of the application; and
- (c) if the person holds a certificate issued under subitem 5.10 and the certificate has not ceased to have effect — the average monthly number of category H (dealer stock) articles disposed of by the person under the certificate in the period of 6 months immediately before the date of the application; and

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- (d) if the person does not hold, but has, within the period of 6 months immediately before the date of the application, held, a certificate issued under subitem 5.10 — the average monthly number of category H articles (including any category H (dealer stock) articles) disposed of by the person in the period of 6 months immediately before the date of the application.

5.14 Nothing in this item affects the operation of Part VIIC of the *Crimes Act 1914* (which includes provisions that, in certain circumstances, relieve persons from the requirement to disclose spent convictions and require persons who are aware of such convictions to disregard them).

5.15 Despite any provision of a law of a State or Territory, a person may disclose information to the CEO, or an authorised officer, for the purpose of enabling the CEO, or authorised officer, to carry out his or her functions under this item

Part 4 Interpretation

1. Meaning of certified sports shooter

- 1.1 For this Schedule, a person is a *certified sports shooter*, for a restricted category C article, if the Attorney-General certifies, in writing, that the Attorney-General is satisfied that:
 - (a) the person is a registered shooter with the Australian Clay Target Association; and
 - (ab) the person is:
 - (i) an Australian citizen; or
 - (ii) a lawful non-citizen under the *Migration Act 1958* who holds a permanent visa under that Act; and
 - (b) the person is the holder of a licence or authorisation, in accordance with the law of the State or Territory where the club is situated, to possess the article; and
 - (c) the person intends to use the article solely to take part in clay target events; and

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- (d) the person:
- (i) requires the article to take part in clay target events because of a physical need due to lack of strength or dexterity; or
 - (ii) on 15 November 1996, was a registered shooter with the Australian Clay Target Association and possessed a self-loading shotgun, or pump action repeating shotgun, for use in clay target events.
- 1.2 For this Schedule, a person is a *certified sports shooter*, for a category H article, a firearm magazine for a category H article, or a firearm barrel for a category H article, if:
- (a) either:
 - (i) the article complies with subitem 1.3 or 1.5; or
 - (ii) the firearm magazine complies with the specifications for shot capacity in subitem 1.3; or
 - (iii) the firearm barrel complies with the specifications for barrel length and calibre in subitem 1.3; and
 - (b) a relevant police representative is satisfied that the person meets the requirements, under the law of the relevant State or Territory, to possess the article for the purpose of taking part in sports or target shooting permitted under that law; and
 - (c) the relevant police representative certifies, in an approved form, that the person is a certified sports shooter for the article.
- 1.3 For paragraph 1.2 (a), a category H article complies with this subitem if:
- (a) the article:
 - (i) is designed or adapted for competition target shooting; or
 - (ii) has a barrel length of at least:
 - (A) for a semi-automatic handgun — 120 mm; and
 - (B) for a revolver or a single shot handgun — 100 mm; and

- (b) the article is fitted with a firearm magazine, or cylinder, of a capacity of not more than 10 rounds; and
- (c) either:
 - (i) if a police representative certifies that the article is required for the purposes of participating in sporting events specially accredited by the State or Territory, the article has a calibre not greater than .45"; or
 - (ii) in any other case, the article has a calibre not greater than .38".

1.4 For paragraph 1.2 (a), a category H article that is:

- (a) a black powder muzzle loading pistol; or
 - (b) a cap and ball percussion fired revolver;
- is taken to comply with subitem 1.3.

1.5 For paragraph 1.2 (a), a category H article, a firearm magazine for a category H article or a firearm barrel for a category H article complies with this subitem if:

- (a) the article, magazine or barrel is to be imported by a person who is:
 - (i) an Australian citizen; or
 - (ii) a lawful non-citizen under the *Migration Act 1958* who holds a permanent visa under that Act; and
- (b) the person satisfies a Collector, at or before importation, that the person had lawfully exported the article, magazine or barrel from Australia with the intention of participating in an international sports or target shooting event which was intended to be held outside Australia on or before 30 June 2003.

1.6 For subitem 1.3:

calibre means the size of the cartridge that a handgun is chambered to discharge.

1A. Meaning of certified international sports shooter

1A.1 For this Schedule, a person is a *certified international sports shooter*, for a restricted category C article, if the

Attorney-General certifies, in writing, that the Attorney-General is satisfied that:

- (a) the person intends to use the article in Australia solely to take part in a clay target event; and
- (b) the event is:
 - (i) the Olympic Games or an associated event; or
 - (ii) the Paralympic Games or an associated event; or
 - (iii) the Commonwealth Games or an associated event; or
 - (iv) organised by the Australian Clay Target Association; and
- (c) the person is not:
 - (i) an Australian citizen; or
 - (ii) a lawful non-citizen under the *Migration Act 1958* who holds a permanent visa under that Act; and
- (d) the person is the holder of a licence or authorisation, in accordance with the law of the State or Territory where the event is to be held, to possess the article.

1A.2 For this Schedule, a person is a ***certified international sports shooter***, for a category H article, a firearm magazine for a category H article, or a firearm barrel for a category H article, if:

- (a) either:
 - (i) the article complies with subitem 1A.3 or 1A.5; or
 - (ii) the firearm magazine complies with the specifications for shot capacity in subitem 1A.3; or
 - (iii) the firearm barrel complies with the specifications for barrel length and calibre in subitem 1A.3; and
- (b) a relevant police representative is satisfied that the person intends to use the article in Australia for sports or target shooting; and
- (c) the relevant police representative is satisfied that the person is not:
 - (i) an Australian citizen; or
 - (ii) the holder of a permanent visa under the *Migration Act 1958*; and

- (d) the relevant police representative is satisfied that the person is the holder of a licence or authorisation to possess the article, in accordance with the law of the State or Territory where the person intends to use the article; and
- (e) the relevant police representative certifies, in an approved form, that the person is a certified international sports shooter for the article.

1A.3 For paragraph 1A.2 (a), a category H article complies with this subitem if:

- (a) the article:
 - (i) is designed or adapted for competition target shooting; or
 - (ii) has a barrel length of at least:
 - (A) for a semi-automatic handgun — 120 mm; and
 - (B) for a revolver or a single shot handgun — 100 mm; and
- (b) the article is fitted with a firearm magazine, or cylinder, of a capacity of not more than 10 rounds; and
- (c) either:
 - (i) if a police representative certifies that the article is required for the purposes of participating in sporting events specially accredited by the State or Territory, the article has a calibre not greater than .45"; or
 - (ii) in any other case, the article has a calibre not greater than .38".

1A.4 For paragraph 1A.2 (a), a category H article that is:

- (a) a black powder muzzle loading pistol; or
 - (b) a cap and ball percussion fired revolver;
- is taken to comply with subitem 1A.3.

1A.5 For paragraph 1A.2 (a), a category H article, a firearm magazine for a category H article or a firearm barrel for a category H article complies with this subitem if:

- (a) the person is importing the article, magazine or barrel for the purpose of participating in a sports or target shooting

event which is intended to be held in Australia on or before 30 June 2003; and

- (b) the person satisfies a Collector, at or before importation, that the person:
 - (i) is a participant in the event; and
 - (ii) will not use the article, magazine or barrel for a purpose other than participating in the event; and
 - (iii) will export the article, magazine or barrel from Australia as soon as practicable after the person has participated in the event.

1A.6 For subitem 1A.3:

calibre means the size of the cartridge that a handgun is chambered to discharge.

1B. Meaning of relevant police representative

For this Schedule:

relevant police representative, for a State or Territory, means:

- (a) the chief police officer for that State or Territory, namely:
 - (i) for a State — the Commissioner or Chief Commissioner of the police force of the State; and
 - (ii) for the Northern Territory — the Commissioner of Police of the police force of the Northern Territory; and
 - (iii) for a Territory other than the Northern Territory — the chief police officer of the Australian Capital Territory; or
- (b) a person authorised in writing to act on behalf of that chief police officer in relation to matters to which this Schedule relates.

2. Meaning of certified primary producer

- 2.1 For this Schedule, a person is a *certified primary producer* if a relevant police representative certifies, in an approved form, that the person is a primary producer.

3. Meaning of category C article and restricted category C article

3.1 For this Schedule, a *category C article* is:

- (a) a firearm mentioned in item 3 of Part 2 (*category C firearm*); or
- (b) a firearm part mentioned in item 4 of Part 2 of, or for, a category C firearm.

3.2 For this Schedule, a *restricted category C article* is:

- (a) a self-loading shotgun, or pump action repeating shotgun, mentioned in item 3 of Part 2 (*restricted category C firearm*); or
- (b) a firearm part mentioned in item 4 of Part 2 of, or for, a restricted category C firearm.

3A. Meaning of category H article

3A.1 For this Schedule, a *category H article* is:

- (a) a firearm mentioned in item 9 of Part 2 (other than a firearm that was manufactured before 1 January 1900); or
- (b) a frame or receiver mentioned in item 9B of Part 2 (other than a frame or receiver that was manufactured before 1 January 1900).

4. Meaning of certified buyer

4.1 For this Schedule, a person is a *certified buyer*, for a category C article, if the Attorney-General certifies, in writing, that the Attorney-General is satisfied that:

- (a) the person intends to buy the article from a licensed firearm dealer; and
- (b) the article is for the purposes of the government of the Commonwealth, or a State or Territory; and
- (c) the government will retain ownership of the article after buying it.

4.2 For this Schedule, a person is also a *certified buyer*, for a category C article, if the Attorney-General certifies, in writing, that the Attorney-General is satisfied that:

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- (a) the person intends to buy the article from a licensed firearm dealer; and
 - (b) the person's principal or only occupation is the business of controlling vertebrate pest animals on rural land; and
 - (c) the person holds a licence or authorisation, in accordance with the law of the State or Territory where the person will carry out the occupation, to possess the article.
- 4.3 For this Schedule, a person is a *certified buyer*, for a category H article, if:
- (a) the Secretary of the Attorney-General's Department:
 - (i) is satisfied of the matters mentioned in subitem 4.4 in relation to the person and the article; and
 - (ii) certifies that the person is a certified buyer for the category H article; or
 - (b) a relevant police representative:
 - (i) is satisfied of the matters mentioned in subitem 4.5 in relation to the person and the article; and
 - (ii) certifies, in an approved form, that the person is a certified buyer for the category H article.
- 4.4 For subparagraph 4.3 (a) (i), the matters are as follows:
- (a) the person intends to buy the article from a licensed firearm dealer;
 - (b) the article is for the purposes of the government of the Commonwealth;
 - (c) the government will retain ownership of the article after buying it.
- 4.5 For subparagraph 4.3 (b) (i), the matters are as follows:
- (a) the person intends to buy the article from a licensed firearm dealer;
 - (b) the article is for the purposes of the government of the relevant State or Territory;
 - (c) the government will retain ownership of the article after buying it.

5. Meaning of licensed firearm dealer

- 5.1 For this Schedule, a person is a *licensed firearm dealer*, for a category C article or category H article, if the person:
- (a) carries on the business of a firearm dealer; and
 - (b) holds a licence or authorisation, in accordance with the law of the State or Territory where the person carries on the business, to possess the article and sell or dispose of it, or deal with it for other commercial purposes, in the course of the business.

6. Meaning of certified for business or occupational purposes

- 6.1 For this Schedule, a person is *certified for business or occupational purposes*, for a category H article, if a relevant police representative:
- (a) is satisfied that the person meets the requirements, under the law of the relevant State or Territory, to possess the article for business or occupational purposes (other than for the purposes of being a firearm collector or firearm dealer); and
 - (b) certifies, in an approved form, that the person is a person certified for business or occupational purposes for the category H article.

7. Meaning of certified collector

- 7.1 For this Schedule, a person is a *certified collector*, for a category H article, if a relevant police representative:
- (a) is satisfied that the person is a licensed collector, in accordance with the law of the relevant State or Territory; and
 - (b) certifies, in an approved form, that the person is a certified collector for the category H article.

8. Meaning of defence-sanctioned activity

- 8.1 In this Schedule, a *defence-sanctioned activity* means an activity approved by:
- (a) a Service Chief of the Australian Defence Force; or
 - (b) a Deputy Secretary of the Department of Defence.

Schedule 7 Articles of glazed ceramic ware, methods of testing and permissible levels of metal release

(regulation 4E)

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Description of Article	Method of testing	Amount of lead per volume of solution	Amount of cadmium per volume of solution
			milligrams per litre	milligrams per litre
1	Cup, mug, jug, jar, bowl, teapot, coffee pot or other article of tableware (other than an article referred to in Item 3) having a liquid capacity of less than 1100 millilitres.	Method specified and described in paragraph 4 (other than subparagraph 4.1) of Part 1 of British Standard 4860 published on 31 October 1972.	7.0	0.7
2	Cup, mug, jug, jar, bowl, teapot, coffee pot or other article of tableware (other than an article referred to in Item 3) having a liquid capacity equal to or in excess of 1100 millilitres.	Method specified and described in paragraph 4 (other than subparagraph 4.1) of Part 1 of British Standard 4860 published on 31 October 1972.	2.0	0.2

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Description of Article	Method of testing	Amount of lead per volume of solution	Amount of cadmium per volume of solution
			milligrams per litre	milligrams per litre
3	Plate (including soup plate or dessert plate), saucer, or similar article of tableware.	Method specified and described in paragraph 4 (other than subparagraph 4.1) of Part 1 of British Standard 4860 published on 31 October 1972.	20.0	2.0
4	Any article of cooking ware.	Method specified and described in paragraph 4 (other than subparagraph 4.1) of Part 2 of British Standard 4860 published on 31 October 1972.	7.0	0.7

Schedule 7A Substances the importation of which is prohibited if permission is not granted under regulation 5G
(regulation 5G)

Item	Substance
1	Erythropoietin
2	Natural and manufactured gonadotrophins, including menotrophins, Follicle Stimulating Hormone, Luteinising Hormone and Human Chorionic Gonadotrophin
3	Natural and manufactured growth hormones, including somatropin, somatrem, somatomedins and insulin-like growth factors (not insulins) and growth hormone releasing hormones (somatostatin and synthetic analogues)
4	Darbepoetin alfa

Schedule 8 Goods the importation of which is prohibited if permission is not granted under regulation 5H

(regulation 5H (2))

Item	Description of Goods
1	Abortifacients, that is, substances that purport to produce abortion.
2	Advertising matter (including booklets, pamphlets, leaflets and circulars) relating to preparations, instruments, appliances, and other goods, that purport to be for therapeutic purposes and containing any statements or claims that are misleading, false or extravagant.
3	Aminophenazone (aminopyrine) (4-dimethylamino-2, 3-dimethyl-1-phenyl 3-pyrazolin-5-one), derivatives of aminophenazone (aminopyrine) (4-dimethylamino-2, 3-dimethyl-1-phenyl-3-pyrazolin-5-one) (including dipyrone) and preparations containing aminophenazone (aminopyrine) (4-dimethylamino-2, 3-dimethyl-1-phenyl-3-pyrazolin-5-one) or derivatives of aminophenazone (aminopyrine) (4-dimethylamino-2, 3-dimethyl-1-phenyl-3-pyrazolin-5-one) (including dipyrone).
3C	Anabolic or androgenic substances.
4	Aphrodisiacs, that is to say, cantharides, cantharidin and yohimbine, preparations containing cantharides, cantharidin or yohimbine, and any other substance or preparation that is, or is likely to be, productive, or is capable of being converted into a substance that is, or is likely to be, productive, of effects substantially of the same character or nature as, or analogous to, those produced by cantharides, cantharidin or yohimbine.
5	Bithionol (2, 2-thiobis (4, 6-dichlorophenol)) and preparations containing bithionol (2, 2-thiobis (4, 6-dichlorophenol)).
6	5-bromo-4-chlorosalicylanilide and preparations containing 5-bromo-4-chlorosalicylanilide.
7	Buniodyl sodium (bunamiodyl) (3-butyramido- <i>a</i> -ethyl-2, 4, 6-triiodocinnamic acid sodium salt) and preparations containing buniodyl sodium (bunamiodyl) (3-butyramido- <i>a</i> -ethyl-2, 4, 6-triiodocinnamic acid sodium salt).

Item	Description of Goods
8	Cinchophen methyl ester (methyl-2-phenylcinchoninate) and preparations containing cinchophen methyl ester (methyl-2-phenylcinchoninate).
9	Fenticlor (2, 2-thiobis (4-chlorophenol)) and preparations containing fenticlor (2, 2-thiobis (4-chlorophenol)).
10	Food, drink and oral medicine for human consumption and preparations (including essences and extracts) used in the manufacture of food, drink or oral medicine for human consumption that contain— (a) glycol or a derivative of a glycol other than propylene glycol; or (b) calamus or oil of calamus.
11	Ketamine
12	(2-Isopropyl-4-pentenoyl) urea and preparations containing (2-isopropyl-4-pentenoyl) urea.
12A	Oil of wormwood, being an essential oil obtained from plants of the genus <i>Artemisia</i> , and preparations containing oil of wormwood.
12AA	Laetrile and preparations containing laetrile.
13	Preparations that purport to be a remedy for drunkenness, alcoholic habit or drug habit.
14	3, 3, 4, 5-Tetrachlorosalicylanilide and preparations containing 3, 3, 4, 5-tetrachlorosalicylanilide.
15	Thalidomide and preparations containing thalidomide.
16	Triparanol and preparations containing triparanol.
17	Xylitol and preparations containing xylitol.

Schedule 9 **Goods, being certain organochlorine chemicals, the importation of which is prohibited unless permission is granted under regulation 5I**
(regulation 5I)

Item	Common name	CAS Registry Number
1	aldrin (HHDN)	309-00-2
2	HCH (mixed isomers) (BHC)	608-73-1
3	lindane (γ -BHC, γ -HCH)	58-89-9
4	chlordane	57-74-9
5	DDT (pp'-DDT)	50-29-3
6	dieldrin (HEOD)	60-57-1
7	endrin	72-20-8
8	heptachlor	76-44-8
9	hexachlorobenzene (HCB)	118-74-1
10	methoxychlor	72-43-5
11	oxychlordane	26880-48-8 27304-13-8
12	mirex	2385-85-5
13	toxaphene (camphechlor)	8000-35-2

Schedule 10 Ozone-depleting substances

(regulation 5K)

Part 1 Chlorofluorocarbons

Column 1 Column 2

Item Substance

1	Trichlorofluoromethane (CFC-11)
2	Dichlorodifluoromethane (CFC-12)
3	Trichlorotrifluoroethane (CFC-113)
4	Dichlorotetrafluoroethane (CFC-114)
5	(Mono) chloropentafluoroethane (CFC-115)
6	CF ₃ Cl (CFC-13)
7	C ₂ FCl ₅ (CFC-111)
8	C ₂ F ₂ Cl ₄ (CFC-112)
9	C ₃ FCl ₇ (CFC-211)
10	C ₃ F ₂ Cl ₆ (CFC-212)
11	C ₃ F ₃ Cl ₅ (CFC-213)
12	C ₃ F ₄ Cl ₄ (CFC-214)
13	C ₃ F ₅ Cl ₃ (CFC-215)
14	C ₃ F ₆ Cl ₂ (CFC-216)
15	C ₃ F ₇ Cl (CFC-217)

Part 2 Halons

Column 1 Column 2

Item Substance

1	Bromochlorodifluoromethane (Halon-1211)
2	Bromotrifluoromethane (Halon-1301)
3	Dibromotetrafluoroethane (Halon-2402)

Part 3 Carbon tetrachloride

Column 1	Column 2
Item	Substance
1	Carbon tetrachloride (CCl ₄)

Part 4 Methyl chloroform

Column 1	Column 2
Item	Substance
1	1,1,1-trichloroethane (C ₂ H ₃ Cl ₃)

Note This formula does not refer to 1,1,2-trichloroethane.

Part 5 Hydrochlorofluorocarbons

Column 1	Column 2
Item	Substance
1	CHFCl ₂ (HCFC-21)
2	CHF ₂ Cl (HCFC-22)
3	CH ₂ FCI (HCFC-31)
4	C ₂ HFCl ₄ (HCFC-121)
5	C ₂ HF ₂ Cl ₃ (HCFC-122)
6	C ₂ HF ₃ Cl ₂ (HCFC-123)
7	CHCl ₂ CF ₃ (HCFC-123)
8	C ₂ HF ₄ Cl (HCFC-124)
9	CHFCICF ₃ (HCFC-124)
10	C ₂ H ₂ FCI ₃ (HCFC-131)
11	C ₂ H ₂ F ₂ Cl ₂ (HCFC-132)
12	C ₂ H ₂ F ₃ Cl (HCFC-133)
13	C ₂ H ₃ FCI ₂ (HCFC-141)
14	CH ₃ CFCl ₂ (HCFC-141b)

Column 1	Column 2
Item	Substance
15	C ₂ H ₃ F ₂ Cl (HCFC-142)
16	CH ₃ CF ₂ Cl (HCFC-142b)
17	C ₂ H ₄ FCl (HCFC-151)
18	C ₃ HFCl ₆ (HCFC-221)
19	C ₃ HF ₂ Cl ₅ (HCFC-222)
20	C ₃ HF ₃ Cl ₄ (HCFC-223)
21	C ₃ HF ₄ Cl ₃ (HCFC-224)
22	C ₃ HF ₅ Cl ₂ (HCFC-225)
23	CF ₃ CF ₂ CHCl ₂ (HCFC-225ca)
24	CF ₂ ClCF ₂ CHClF (HCFC-225cb)
25	C ₃ HF ₆ Cl (HCFC-226)
26	C ₃ H ₂ FCl ₅ (HCFC-231)
27	C ₃ H ₂ F ₂ Cl ₄ (HCFC-232)
28	C ₃ H ₂ F ₃ Cl ₃ (HCFC-233)
29	C ₃ H ₂ F ₄ Cl ₂ (HCFC-234)
30	C ₃ H ₂ F ₅ Cl (HCFC-235)
31	C ₃ H ₃ FCl ₄ (HCFC-241)
32	C ₃ H ₃ F ₂ Cl ₃ (HCFC-242)
33	C ₃ H ₃ F ₃ Cl ₂ (HCFC-243)
34	C ₃ H ₃ F ₄ Cl (HCFC-244)
35	C ₃ H ₄ FCl ₃ (HCFC-251)
36	C ₃ H ₄ F ₂ Cl ₂ (HCFC-252)
37	C ₃ H ₄ F ₃ Cl (HCFC-253)
38	C ₃ H ₅ FCl ₂ (HCFC-261)
39	C ₃ H ₅ F ₂ Cl (HCFC-262)
40	C ₃ H ₆ FCl (HCFC-271)

Part 6 Hydrobromofluorocarbons

Column 1	Column 2
Item	Substance
1	CH ₂ FBr ₂
2	CHF ₂ Br (HBFC-22B1)
3	CH ₂ FBr
4	C ₂ HFBr ₄
5	C ₂ HF ₂ Br ₃
6	C ₂ HF ₃ Br ₂
7	C ₂ HF ₄ Br
8	C ₂ H ₂ FBr ₃
9	C ₂ H ₂ F ₂ Br ₂
10	C ₂ H ₂ F ₃ Br
11	C ₂ H ₃ FBr ₂
12	C ₂ H ₃ F ₂ Br
13	C ₂ H ₄ FBr
14	C ₃ HFBr ₆
15	C ₃ HF ₂ Br ₅
16	C ₃ HF ₃ Br ₄
17	C ₃ HF ₄ Br ₃
18	C ₃ HF ₅ Br ₂
19	C ₃ HF ₆ Br
20	C ₃ H ₂ FBr ₅
21	C ₃ H ₂ F ₂ Br ₄
22	C ₃ H ₂ F ₃ Br ₃
23	C ₃ H ₂ F ₄ Br ₂
24	C ₃ H ₂ F ₅ Br
25	C ₃ H ₃ FBr ₄
26	C ₃ H ₃ F ₂ Br ₃

Column 1 Column 2

Item Substance

27	$C_3H_3F_3Br_2$
28	$C_3H_3F_4Br_2$
29	$C_3H_4FBr_3$
30	$C_3H_4F_2Br_2$
31	$C_3H_4F_3Br$
32	$C_3H_5FBr_2$
33	$C_3H_5F_2Br$
34	C_3H_6FBr

Part 7 Methyl bromide

Column 1 Column 2

Item Substance

1	CH_3Br
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Part 8 Bromochloromethane

Column 1 Column 2

Item Substance

1	CH_2BrCl
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Part 9 HFCs

Column 1 Column 2

Item Substance

1	CHF_3 (HFC-23)
2	CH_2F_2 (HFC-32)
3	CH_3F (HFC-41)
4	CHF_2CF_3 (HFC-125)

Column 1	Column 2
Item	Substance
5	CHF ₂ CHF ₂ (HFC-134)
6	CH ₂ FCF ₃ (HFC-134a)
7	CHF ₂ CH ₂ F (HFC-143)
8	CF ₃ CH ₃ (HFC-143a)
9	CH ₂ FCH ₂ F (HFC-152)
10	CH ₃ CHF ₂ (HFC-152a)
11	CH ₃ CH ₂ F (HFC-161)
12	CF ₃ CHF ₂ CF ₃ (HFC-227ea)
13	CH ₂ FCF ₂ CF ₃ (HFC-236cb)
14	CHF ₂ CHF ₂ CF ₃ (HFC-236ea)
15	CF ₃ CH ₂ CF ₃ (HFC-236fa)
16	CH ₂ FCF ₂ CHF ₂ (HFC-245ca)
17	CHF ₂ CH ₂ CF ₃ (HFC-245fa)
18	CF ₃ CH ₂ CF ₂ CH ₃ (HFC-365mfc)
19	CF ₃ CHF ₂ CHF ₂ CF ₃ (HFC-43-10mee)

Part 10 PFCs

Column 1	Column 2
Item	Substance
1	CF ₄
2	C ₂ F ₆
3	C ₃ F ₈
4	C ₄ F ₁₀
5	c-C ₄ F ₈
6	C ₅ F ₁₂
7	C ₆ F ₁₄

Schedule 11 Chemical compounds

(regulation 5J)

Part 1 Interpretation

1. In Parts 2, 3 and 4, a reference to a group of dialkylated chemicals, followed in parentheses by a list of alkyl groups, includes all possible combinations of the alkyl groups.
2. In Parts 2, 3 and 4, references to O-alkyl ($\leq C_{10}$, including cycloalkyl) compounds include compounds in which the alkyl group is a saturated ring system (cycloalkyl group) or contains one or more saturated ring systems (cycloalkyl groups).
3. In Parts 2, 3 and 4, references to the terms 'alkyl', 'cycloalkyl', 'alkylated', 'Me' (methyl), 'Et' (ethyl), 'n-Pr' (n-propyl) and 'i-Pr' (iso-propyl) (other than references to which item 2 of Part 2 applies):
 - (a) are to be read literally; and
 - (b) do not include any substituted alkyl, cycloalkyl, alkylated, methyl, ethyl, n-propyl or iso-propyl groups.

Part 2 Compounds (Chemical Weapons Convention, Schedule 1)

Column 1 Item	Column 2 Chemical compound or group of compounds	Column 3 CAS number
1	O-alkyl ($\leq C_{10}$, including cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates, including: <ol style="list-style-type: none">(a) Sarin: O-isopropyl methylphosphonofluoridate; and(b) Soman: O-pinacolyl methylphosphonofluoridate	107-44-8 96-64-0

Column 1	Column 2	Column 3
Item	Chemical compound or group of compounds	CAS number
2	O-alkyl ($\leq C_{10}$, including cycloalkyl) N, N-dialkyl (Me, Et, n-Pr or i-Pr)-phosphoramidocyanidates, including: (a) Tabun: O-ethyl N, N-dimethyl phosphoramidocyanidate	77-81-6
3	O-alkyl (H or $\leq C_{10}$, including cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated and protonated salts, including: (a) VX: O-ethyl S-2-diisopropylaminoethyl methylphosphonothiolate	50782-69-9
4	The following sulphur mustards: (a) 2-chloroethylchloro-methylsulphide (b) Mustard Gas (H): bis (2-chloroethyl) sulphide (c) bis (2-chloroethylthio) methane (d) Sesquimustard: 1,2-bis (2-chloroethylthio) ethane (e) 1,3-bis (2-chloroethylthio)-n-propane (f) 1,4-bis (2-chloroethylthio)-n-butane (g) 1,5-bis (2-chloroethylthio)-n-pentane (h) bis (2-chloroethylthiomethyl) ether (i) O-Mustard (T): bis (2-chloroethylthioethyl) ether	2625-76-5 505-60-2 63869-13-6 3563-36-8 63905-10-2 142868-93-7 142868-94-8 63918-90-1 63918-89-8
5	The following Lewisites: (a) Lewisite 1: 2-chlorovinyl dichloroarsine (b) Lewisite 2: bis (2-chlorovinyl) chloroarsine (c) Lewisite 3: tris (2-chlorovinyl) arsine	541-25-3 40334-69-8 40334-70-1
6	The following nitrogen mustards: (a) HN1: bis (2-chloroethyl) ethylamine (b) HN2: bis (2-chloroethyl) methylamine (c) HN3: tris (2-chloroethyl) amine	538-07-8 51-75-2 555-77-1

Column 1	Column 2	Column 3
Item	Chemical compound or group of compounds	CAS number
7	Saxitoxin	35523-89-8
8	Ricin	9009-86-3
9	Alkyl (Me, Et, n-Pr or i-Pr) phosphonyl difluorides, including:	
	(a) DF: methylphosphonyl difluoride; and	676-99-3
	(b) ethyl phosphonyl difluoride	753-98-0
10	O-alkyl (H or $\leq C_{10}$, including cycloalkyl) O-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonites and corresponding alkylated and protonated salts, including:	
	(a) QL: O-ethyl O-2-diisopropylaminoethyl methylphosphonite	57856-11-8
11	Chlorosarin: O-isopropyl methylphosphonochloridate	1445-76-7
12	Chlorosoman: O-pinacolyl methylphosphonochloridate	7040-57-5

Part 3 Compounds (Chemical Weapons Convention, Schedule 2)

Column 1	Column 2	Column 3
Item	Chemical compound or group of compounds	CAS number
	A. Toxic chemicals	
1	Amiton: O,O-diethyl S-[2-(diethylamino) ethyl] phosphorothiolate and corresponding alkylated and protonated salts.	78-53-5
2	PFIB: 1,1,3,3,3-pentafluoro-2-(trifluoromethyl)-1-propane	382-21-8
3	BZ: 3-quinuclidinyl benzilate*	6581-06-2

Column 1	Column 2	Column 3
Item	Chemical compound or group of compounds	CAS number
	B. Precursors	
4	Chemicals, except for those mentioned in Part 2, containing a phosphorus atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms, including:	
	(a) methylphosphonyl dichloride	676-97-1
	(b) diethyl ethylphosphonate (phosphonic acid, ethyl-, diethyl ester)	78-38-6
	(c) methylphosphonic acid (phosphonic acid, methyl)	993-13-5
	(d) dimethyl methylphosphonate (phosphonic acid, methyl-, dimethyl ester)	756-79-6
	(e) phosphonic acid, methyl-, compounded with (aminoiminomethyl) urea (1:1)	84402-58-4
	but not including Fonofos: O-ethyl S-phenyl ethylphosphonothiolothionate	944-22-9
5	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidic dihalides, including:	
	(a) N,N-Dimethyl phosphoramidic dichloride	677-43-0
6	Dialkyl (Me, Et, n-Pr or i-Pr) N,N-dialkyl (Me, Et, n-Pr or i-Pr)-phosphoramidates, including:	
	(a) Diethyl N,N-Dimethylphosphoramidate	2404-03-7
7	Arsenic trichloride (arsenous trichloride)	7784-34-1
8	2,2-Diphenyl-2-hydroxyacetic acid (benzilic acid)	76-93-7
9	Quinuclidine-3-ol	1619-34-7
10	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethyl-2-chlorides and corresponding protonated salts, including:	
	(a) N,N-diethylaminoethyl-2-chloride, hydrochloride	869-24-9
	(b) N,N-diethylaminoethyl-2-chloride	100-35-6

Column 1	Column 2	Column 3
Item	Chemical compound or group of compounds	CAS number
11	(c) N,N-diisopropyl-2-aminoethyl-2-chloride hydrochloride	4261-68-1
	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-ols and corresponding protonated salts, including:	
	(a) 2-diisopropylaminoethanol	96-80-0
	but not including:	
12	(b) N,N-dimethylaminoethanol and corresponding protonated salts	108-01-0
	(c) N,N-diethylaminoethanol and corresponding protonated salts	100-37-8
	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-thiols and corresponding protonated salts, including:	
13	(a) N,N-dimethylaminoethane-2-thiol hydrochloride	13242-44-9
	(b) N,N-diisopropylaminoethane-2-thiol hydrochloride	41480-75-5
14	Thiodiglycol	111-48-8
14	Pinacolyl alcohol: 3,3-dimethylbutan-2-ol (2-butanol, 3,3-dimethyl-)	464-07-3

Part 4 Compounds (Chemical Weapons Convention, Schedule 3)

Column 1	Column 2	Column 3
Item	Chemical compound or group of compounds	CAS number
1	Phosgene (carbonyl dichloride)	75-44-5
2	Cyanogen chloride	506-77-4
3	Hydrogen cyanide (hydrocyanic acid)	74-90-8
4	Chloropicrin (trichloronitromethane)	76-06-02
5	Phosphorus oxychloride (phosphoryl chloride)	10025-87-3

Column 1	Column 2	Column 3
Item	Chemical compound or group of compounds	CAS number
6	Phosphorus trichloride	7719-12-2
7	Phosphorus pentachloride (phosphorane, pentachloro)	10026-13-8
8	Trimethyl phosphite (phosphorous acid, trimethyl ester)	121-45-9
9	Triethyl phosphite (phosphorous acid, triethyl ester)	122-52-1
10	Dimethyl phosphite (phosphonic acid, dimethyl ester)	868-85-9
11	Diethyl phosphite (phosphonic acid, diethyl ester)	762-04-9
12	Sulphur monochloride (sulfur chloride – S ₂ Cl ₂)	10025-67-9
13	Sulphur dichloride (sulfur chloride – SCl ₂)	10545-99-0
14	Thionyl chloride	7719-09-7
15	Ethyldiethanolamine	139-87-7
16	Methyldiethanolamine	105-59-9
17	Triethanolamine	102-71-6

Schedule 12 Goods the importation of which is prohibited without permission under regulation 4U

(subregulation 4U (1))

Item	Description of Goods
1	Glucomannan in tablet form
2	Goods known as 'Klunk Klip', 'Comfix' and 'Auto Comfort' seat belt accessories and similar goods that are designed to induce and maintain slack in retractor seat belts
3	Goods known as 'Autotrend Sun Filter' and similar goods that do not comply with Australian Design Rule No. 11 for internal sun visors
4	Toys that have been marketed under the following names: <ol style="list-style-type: none"> (a) 'Skateboard Smackup' or 'Skateboard Smackups'; (b) 'Garbage Pail Kids'; (c) 'Krazy Kookie Balls'; (d) 'Weird Balls'; (e) 'Foul Ball'; (f) 'Mad Ball' or 'Mad Balls'; (g) 'Trash Head Spitballs'; (h) 'Gross Out Grunkies'; (i) 'Kuddlee Uglee'; (j) 'Super Dough Squeezers'; (k) 'Rude Ralph' or 'Rude Ralph Gang'
5	Chewing tobacco, and snuffs intended for oral use, imported in an amount weighing more than 1.5 kilograms
6	An underwater breathing apparatus known as 'Diveman' or similar devices consisting of an air pump, powered by the user's legs, that supplies air drawn down from the water's surface to the user in a compressed state dependent on the user's effort

Item	Description of Goods
7	A device to enable a water skier to be released quickly in the event of a mishap in the water, and marketed under the name of 'QUICKIE Line Release'
8	Gas masks that contain asbestos
9	Candles with wicks that contain greater than 0.06% lead by weight
10	Candle wicks containing greater than 0.06% lead by weight
11	A jelly confectionery product that: (a) contains the ingredient 'konjac' (also known as glucomannan, conjac, konnyaku, konjonac, taro powder and yam flour); and (b) is supplied in a container that has a height or width of less than or equal to 45mm; including a product marketed using the expression 'mini-cup'.

Table of Instruments

Notes to the *Customs (Prohibited Imports) Regulations 1956***Note 1**

The *Customs (Prohibited Imports) Regulations 1956* (in force under the *Customs Act 1901*) as shown in this compilation comprise Statutory Rules 1956 No. 90 amended as indicated in the Tables below.

The *Customs (Prohibited Imports) Regulations 1956* were amended by the *Airlines Agreement Act 1981* (Act No. 75, 1981) as amended by the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1983* (Act No. 39, 1983). The amendments are incorporated in this compilation. For application, saving or transitional provisions relating to the amendments *see* subsection 8 (2) of the Act.

All relevant information pertaining to application, saving or transitional provisions prior to 9 April 2001 is not included in this compilation. For subsequent information *see* Table A.

Under the *Legislative Instruments Act 2003*, which came into force on 1 January 2005, it is a requirement for all non-exempt legislative instruments to be registered on the Federal Register of Legislative Instruments. From 1 January 2005 the Statutory Rules series ceased to exist and was replaced with Select Legislative Instruments (SLI series). Numbering conventions remain the same, ie Year and Number.

Table of Instruments

Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
1956 No. 90	14 Dec 1956	14 Dec 1956	
1958 No. 6	16 Jan 1958	R. 2: 1 Feb 1958 Remainder: 16 Jan 1958	—
1958 No. 67	23 Oct 1958	23 Oct 1958	—
1959 No. 17	12 Mar 1959	12 Mar 1959	—
1959 No. 31	7 May 1959	7 May 1959	—
1959 No. 93	26 Nov 1959	26 Nov 1959	—
1960 No. 22	13 Apr 1960	13 Apr 1960	—
1961 No. 117	5 Oct 1961	5 Oct 1961	—
1962 No. 82	13 Sept 1962	13 Sept 1962	—

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Year and number	Date of notification in Gazette or FRLI registration	Date of commencement	Application, saving or transitional provisions
1963 No. 26	21 Mar 1963	21 Mar 1963	—
1964 No. 25	27 Feb 1964	27 Feb 1964	—
1964 No. 39	12 Mar 1964	12 Mar 1964	—
1965 No. 81	25 June 1965	25 June 1965	—
1965 No. 91	1 July 1965	1 July 1965 (a)	R. 2
1965 No. 135	21 Sept 1965	21 Sept 1965	—
1965 No. 167	18 Nov 1965	18 Nov 1965	—
1965 No. 190	21 Dec 1965	21 Dec 1965	—
1966 No. 95	16 June 1966	16 June 1966	—
1967 No. 41	13 Apr 1967	13 Apr 1967	—
1967 No. 58	11 May 1967	11 May 1967	—
1967 No. 114	31 Aug 1967	31 Aug 1967	—
1967 No. 178	29 Dec 1967	1 Jan 1968	—
1968 No. 100	5 Sept 1968	5 Sept 1968	—
1968 No. 141	21 Nov 1968	21 Nov 1968	—
1968 No. 161	23 Dec 1968	23 Dec 1968	—
1969 No. 2	23 Jan 1969	23 Jan 1969	—
1969 No. 7	30 Jan 1969	30 Jan 1969	—
1969 No. 10	31 Jan 1969	31 Jan 1969	—
1969 No. 39	13 Mar 1969	13 Mar 1969	—
1969 No. 43	27 Mar 1969	27 Mar 1969	—
1969 No. 218	30 Dec 1969	30 Dec 1969	—
1970 No. 8	5 Feb 1970	5 Feb 1970	—
1970 No. 72	2 June 1970	2 June 1970	—
1970 No. 105	20 Aug 1970	20 Aug 1970	—
1970 No. 194	17 Dec 1970	17 Dec 1970	—
1972 No. 97	29 June 1972	1 July 1972	—
1973 No. 5	18 Jan 1973	18 Jan 1973	—
1973 No. 6	18 Jan 1973	18 Jan 1973	—
1973 No. 42	1 Mar 1973	1 Mar 1973	—
1973 No. 43	1 Mar 1973	1 June 1973	—
1973 No. 89	17 May 1973	17 May 1973	—
1973 No. 93	24 May 1973	24 May 1973	—
1973 No. 162	30 Aug 1973	30 Aug 1973	—
1973 No. 175	6 Sept 1973	6 Sept 1973	—
1973 No. 217	15 Nov 1973	15 Nov 1973	—
1973 No. 227	29 Nov 1973	29 Nov 1973	—
1973 No. 228	29 Nov 1973	29 Nov 1973	—

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Year and number	Date of notification in Gazette or FRLI registration	Date of commencement	Application, saving or transitional provisions
1973 No. 262	19 Dec 1973	19 Dec 1973	—
1974 No. 123	30 July 1974	30 July 1974	—
1974 No. 249	23 Dec 1974	23 Dec 1974	R. 7
1975 No. 58	22 Apr 1975	22 Apr 1975	—
1975 No. 62	22 Apr 1975	22 Apr 1975	—
1975 No. 121	24 June 1975	24 June 1975	—
1975 No. 172	26 Aug 1975	26 Aug 1975	—
1975 No. 183	16 Sept 1975	16 Sept 1975	—
1976 No. 98	12 May 1976	12 May 1976	—
1976 No. 159	3 Aug 1976	3 Aug 1976	—
1976 No. 186	30 Aug 1976	30 Aug 1976	—
1976 No. 291	30 Dec 1976	30 Dec 1976	—
1977 No. 18	23 Feb 1977	23 Feb 1977	—
1977 No. 23	2 Mar 1977	2 Mar 1977	—
1977 No. 24	15 Mar 1977	15 Mar 1977	—
1977 No. 59	25 May 1977	25 May 1977	—
1977 No. 67	7 June 1977	7 June 1977	—
1977 No. 162	16 Sept 1977	16 Sept 1977	—
1978 No. 276	29 Dec 1978	29 Dec 1978	—
1979 No. 145	31 July 1979	31 July 1979	—
1979 No. 155	9 Aug 1979	9 Aug 1979	—
1979 No. 280	24 Dec 1979	24 Dec 1979	—
1980 No. 71	2 Apr 1980	2 Apr 1980	—
1980 No. 78	17 Apr 1980	17 Apr 1980	—
1980 No. 150	17 June 1980	17 June 1980	—
1980 No. 211	29 July 1980	29 July 1980	—
1980 No. 368	18 Dec 1980	18 Dec 1980	—
1980 No. 376	31 Dec 1980	31 Dec 1980	—
1980 No. 380	31 Dec 1980	31 Dec 1980	—
1980 No. 382	31 Dec 1980	31 Dec 1980	R. 4
1981 No. 29	12 Mar 1981	12 Mar 1981	—
1981 No. 71	15 Apr 1981	15 Apr 1981	—
1981 No. 176	30 June 1981	R. 1: 1 July 1981 Remainder: 30 June 1981	—
1981 No. 309	30 Oct 1981	30 Oct 1981	—
1981 No. 369	31 Dec 1981	31 Dec 1981	—
1981 No. 383	31 Dec 1981	31 Dec 1981	—

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Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
1982 No. 44	26 Feb 1982	26 Feb 1982	—
1982 No. 80	16 Apr 1982	16 Apr 1982	—
1982 No. 102	7 May 1982	7 May 1982	—
1982 No. 170	16 July 1982	16 July 1982	—
1982 No. 236	30 Sept 1982	R. 1: 1 Oct 1982 Remainder: 30 Sept 1982	—
1982 No. 252	1 Oct 1982	1 Oct 1982	—
1983 No. 331	23 Dec 1983	1 Feb 1984	—
1984 No. 55	5 Apr 1984	5 Apr 1984	—
1984 No. 64	30 Apr 1984	1 May 1984	—
1984 No. 102	4 June 1984	4 June 1984	—
1984 No. 128	29 June 1984	29 June 1984	—
1984 No. 260	28 Sept 1984	1 Oct 1984	—
1984 No. 261	28 Sept 1984	28 Sept 1984	—
1984 No. 317	2 Nov 1984	2 Nov 1984	—
1984 No. 318	2 Nov 1984	2 Nov 1984	—
1985 No. 26	14 Mar 1985	14 Mar 1985	—
1985 No. 96	7 June 1985	7 June 1985	—
1985 No. 139	28 June 1985	28 June 1985	—
1985 No. 160	5 July 1985	5 July 1985	—
1985 No. 305	21 Nov 1985	21 Nov 1985	—
1985 No. 377	20 Dec 1985	20 Dec 1985	—
1986 No. 180	18 July 1986	18 July 1986	—
1986 No. 307	24 Oct 1986	24 Oct 1986	—
1986 No. 342	21 Nov 1986	2 Feb 1987	—
1986 No. 354	4 Dec 1986	1 June 1987	—
1986 No. 362	19 Dec 1986	19 Dec 1986	—
1986 No. 385	22 Dec 1986	22 Dec 1986	—
1987 No. 37	12 Mar 1987	12 Mar 1987	—
1987 No. 98	29 May 1987	Rr. 2 and 4: 1 June 1987 Remainder: 29 May 1987	—
1987 No. 101	3 June 1987	3 June 1987	—
1987 No. 320	22 Dec 1987	22 Dec 1987	—
1987 No. 321	22 Dec 1987	1 Jan 1988	—
1988 No. 64	29 Apr 1988	29 Apr 1988	—
1988 No. 136	24 June 1988	24 June 1988	—
1988 No. 177	8 July 1988	8 July 1988	—
1988 No. 326	2 Dec 1988	2 Dec 1988	—

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Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
1988 No. 327	2 Dec 1988	2 Dec 1988	—
1988 No. 374	21 Dec 1988	21 Dec 1988	—
1988 No. 375	21 Dec 1988	21 Dec 1988	—
1989 No. 60	14 Apr 1989	14 Apr 1989	—
1989 No. 379	21 Dec 1989	21 Dec 1989	—
1990 No. 39	27 Feb 1990	27 Feb 1990	—
1990 No. 191	29 June 1990	21 Mar 1990	—
1990 No. 265	8 Aug 1990	8 Aug 1990	—
1990 No. 324	12 Oct 1990	12 Oct 1990	—
1990 No. 460	21 Dec 1990	21 Dec 1990	—
1990 No. 467	9 Jan 1991	9 Jan 1991	—
1991 No. 23	27 Feb 1991	R. 14.3: 27 Feb 1991 Remainder: 15 Feb 1991 (see r. 1)	R. 16
1991 No. 76	30 Apr 1991	30 Apr 1991	—
1991 No. 248	9 Aug 1991	9 Aug 1991	—
1991 No. 289	17 Sept 1991	17 Sept 1991	—
1992 No. 49	28 Feb 1992	28 Feb 1992	—
1992 No. 154	2 June 1992	2 June 1992	—
1992 No. 189	30 June 1992	30 June 1992	—
1992 No. 286	8 Sept 1992	8 Sept 1992	—
1992 No. 413	16 Dec 1992	16 Dec 1992	—
1993 No. 67	11 May 1993	11 May 1993	—
1993 No. 211	3 Aug 1993	3 Aug 1993	—
1993 No. 256	1 Oct 1993	1 Oct 1993	—
1993 No. 257	1 Oct 1993	1 Oct 1993	—
1993 No. 382	30 Dec 1993	30 Dec 1993	—
1994 No. 104	19 Apr 1994	19 Apr 1994	—
1994 No. 171	8 June 1994	8 June 1994	—
1994 No. 241	4 July 1994	4 July 1994	—
1994 No. 314	6 Sept 1994	6 Sept 1994	—
1994 No. 378	16 Nov 1994	16 Nov 1994	—
1995 No. 15	14 Feb 1995	14 Feb 1995	—
1995 No. 89	12 May 1995	12 May 1995	—
1995 No. 403	19 Dec 1995	R. 3.5: 1 Jan 1996 (see r. 1 and <i>Gazette</i> 1995, No. GN50) Remainder: 19 Dec 1995	—
1995 No. 412	19 Dec 1995	1 Jan 1996	—

Table of Instruments

Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
1996 No. 31	22 Mar 1996	22 Mar 1996	—
1996 No. 59	14 May 1996	14 May 1996	—
1996 No. 68	31 May 1996	31 May 1996	—
1996 No. 91	5 June 1996	5 June 1996	—
1996 No. 123	26 June 1996	26 June 1996	—
1996 No. 226	24 Oct 1996	24 Oct 1996	—
1996 No. 324	23 Dec 1996	23 Dec 1996	—
1996 No. 325	24 Dec 1996	R. 4: 29 Apr 1997 Remainder: 1 Jan 1997	—
1997 No. 22	26 Feb 1997	1 Mar 1997	—
1997 No. 93	1 May 1997	1 May 1997	—
1997 No. 129	4 June 1997	4 June 1997	—
1997 No. 254	24 Sept 1997	24 Sept 1997	—
1997 No. 285	8 Oct 1997	8 Oct 1997	—
1997 No. 317	17 Nov 1997	17 Nov 1997	—
1997 No. 385	24 Dec 1997	24 Dec 1997	—
1997 No. 386	24 Dec 1997	31 Jan 1997	—
1998 No. 4	11 Feb 1998	11 Feb 1998	—
1998 No. 52	24 Mar 1998	25 Mar 1998	—
1998 No. 58	6 Apr 1998	6 Apr 1998	—
1998 No. 228	16 July 1998	16 July 1998	—
1999 No. 165	16 Aug 1999	16 Aug 1999	—
1999 No. 201	16 Sept 1999	16 Sept 1999	—
1999 No. 202	16 Sept 1999	16 Sept 1999	—
1999 No. 217	17 Sept 1999	17 Sept 1999	—
1999 No. 249	27 Oct 1999	27 Oct 1999	—
1999 No. 250	27 Oct 1999	27 Oct 1999	—
1999 No. 275	12 Nov 1999	12 Nov 1999	—
1999 No. 332	22 Dec 1999	Rr. 1–3 and Schedule 1: 22 Dec 1999 Schedule 2: 1 Jan 2000 Remainder: 29 Apr 2000	—
1999 No. 333 (b)	22 Dec 1999	1 July 2000	—
2000 No. 32	29 Mar 2000	29 Mar 2000	—
2000 No. 75	26 May 2000	26 May 2000 (see r. 2 and <i>Gazette</i> 2000, No. S269)	—
2000 No. 143	28 June 2000	1 July 2000	—
2000 No. 213	11 Aug 2000	11 Aug 2000	—

Table of Instruments

Year and number	Date of notification in Gazette or FRLI registration	Date of commencement	Application, saving or transitional provisions
2000 No. 214	11 Aug 2000	11 Aug 2000	—
2000 No. 215	11 Aug 2000	11 Aug 2000	—
2000 No. 234	17 Aug 2000	18 Aug 2000	—
2000 No. 299	10 Nov 2000	10 Nov 2000	—
2001 No. 60	6 Apr 2001	9 Apr 2001	R. 4 [see Table A]
2002 No. 30	7 Mar 2002	7 Mar 2002	—
2002 No. 81	3 May 2002	3 May 2002	—
2002 No. 206	6 Sept 2002	6 Sept 2002	—
2002 No. 331	20 Dec 2002	20 Dec 2002	—
2002 No. 332	20 Dec 2002	1 Jan 2003	—
2003 No. 18	27 Feb 2003	27 Feb 2003	—
2003 No. 26	21 Feb 2003	21 Feb 2003	—
2003 No. 53	14 Apr 2003	14 Apr 2003	—
2003 No. 54	14 Apr 2003	14 Apr 2003	—
2003 No. 89	22 May 2003	22 May 2003	—
2003 No. 97	29 May 2003	29 May 2003	Rr. 4–9 [see Table A]
2003 No. 166	2 July 2003	7 July 2003	—
2003 No. 210	21 Aug 2003	21 Aug 2003	—
2003 No. 253	16 Oct 2003	16 Oct 2003	—
2003 No. 309	11 Dec 2003	11 Dec 2003	—
2003 No. 321	19 Dec 2003	31 Dec 2003	—
2004 No. 72	30 Apr 2004	30 Apr 2004	—
2004 No. 108	3 June 2004	3 June 2004	—
2004 No. 121 (c)	18 June 2004	18 June 2004	—
2004 No. 142	25 June 2004	25 June 2004	—
2004 No. 245	12 Aug 2004	18 Aug 2004	—
2004 No. 261	26 Aug 2004	26 Aug 2004	—
2005 No. 17	28 Feb 2005 (see F2005L00376)	1 March 2005	—
2005 No. 163	22 July 2005 (see F2005L02003)	23 July 2005	—
2005 No. 174	9 Aug 2005 (see F2005L01720)	10 Aug 2005	—
2005 No. 249	11 Nov 2005 (see F2005L03255)	12 Nov 2005	—
2005 No. 250	15 Nov 2005 (see F2005L03395)	16 Nov 2005	—

Table of Instruments

Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
2005 No. 279	2 Dec 2005 (see F2005L03721)	6 Dec 2005	—
2006 No. 44	6 Mar 2006 (see F2006L00652)	7 Mar 2006	—
2006 No. 180	14 July 2006 (see F2006L02315)	15 July 2006	—
2006 No. 242	22 Sept 2006 (see F2006L03103)	23 Sept 2006	—
2006 No. 265	20 Oct 2006 (see F2006L03383)	21 Oct 2006	—
2006 No. 282	2 Nov 2006 (see F2006L03549)	3 Nov 2006	—
2007 No. 5	19 Feb 2007 (see F2007L00417)	20 Feb 2007	—

(a) Statutory Rules 1965 No. 91, which amended the Third Schedule to the Customs (Prohibited Imports) Regulations, was disallowed by the Senate on 25 August 1965.

(b) Statutory Rules 1999 No. 333 was disallowed by the Senate on 20 June 2000.

(c) Statutory Rules 2004 No. 121 was disallowed by the Senate on 30 November 2004.

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 1	rs. 1999 No. 165
R. 2	am. 1964 No. 25; 1970 No. 8; 1973 Nos. 43 and 262; 1974 No. 249; 1975 No. 172; 1976 No. 159; 1980 No. 382; 1987 No. 320; 1988 Nos. 64 and 177; 1990 No. 460; 1991 Nos. 23, 248 and 289; 1992 No. 286; 1994 No. 104; 1995 Nos. 15 and 412; 1996 Nos. 59 and 91; 1997 No. 285; 1998 No. 228; 2003 Nos. 18 and 321; 2004 No. 108; 2005 No. 163
R. 3	am. 1990 No. 460 rs. 1995 No. 89 am. 1996 No. 91
R. 3AA	ad. 2002 No. 206
R. 3A.....	ad. 1995 No. 89 am. 1996 No. 91; 1999 Nos. 217 and 275; 2003 No. 89
R. 3B.....	ad. 1999 No. 275 am. 2003 No. 89
R. 3C.....	ad. 2000 No. 213 rs. 2003 No. 309
R. 4	am. 1984 No. 317; 1985 No. 26; 1990 Nos. 324 and 460; 1995 No. 89; 1996 No. 91; 1997 No. 93; 1999 No. 275; 2000 No. 213; 2003 No. 309
R. 4AA	ad. 1973 No. 43 am. 1980 No. 376 rep. 1992 No. 286
R. 4A.....	ad. 1963 No. 26 am. 1967 No. 178; 1973 No. 162; 1975 No. 58; 1977 No. 24; 1983 No. 331; 1984 Nos. 55 and 102; 1985 No. 160; 1990 No. 39; 1991 No. 289; 1995 No. 403; 2005 No. 17
R. 4AB	ad. 1973 No. 89 am. 1975 No. 62
R. 4B.....	ad. 1964 No. 25 am. 1988 No. 177; 1998 No. 4; 2000 Nos. 32 and 214
R. 4BA	ad. 2000 No. 214
R. 4C.....	ad. 1965 No. 167 am. 1965 No. 190; 1967 No. 41 rs. 1968 No. 161 am. 1973 No. 6 rep. 1980 No. 71 ad. 1982 No. 80

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
	rep. 1982 No. 170 ad. 1988 No. 64 am. 1995 No. 15 rep. 1997 No. 129 ad. 2003 No. 321 am. 2006 No. 180
R. 4D.....	ad. 1969 No. 10 rep. 1984 No. 317 ad. 1991 No. 248 am. 1995 No. 15 rep. 1996 No. 91 ad. 2004 No. 261
Rr. 4DA, 4DB	ad. 1995 No. 15 rep. 1996 No. 91
R. 4E.....	ad. 1973 No. 262 am. 1991 No. 289
R. 4F.....	ad. 1975 No. 172 rep. 1988 No. 326 ad. 1996 No. 91 am. 1996 Nos. 123 and 324; 1998 Nos. 52, 58 and 228; 1999 No. 275; 2000 No. 213; 2001 No. 60; 2006 No. 242
Rr. 4G–4J	ad. 1975 No. 183 rep. 1977 No. 59
R. 4K.....	ad. 1976 No. 159 am. 1977 No. 67 rs. 1979 No. 280 am. 1982 Nos. 102 and 252; 1985 No. 305; 1988 No. 177; 1990 No. 467; 1994 No. 104; 1995 No. 412; 2000 No. 32
R. 4L.....	ad. 1978 No. 276 rep. 1981 No. 309 ad. 1981 No. 383 am. 1988 No. 177 rep. 1988 No. 375
R. 4M.....	ad. 1981 No. 29 am. 1981 No. 369; 1984 No. 318 rep. 1997 No. 254 ad. 1999 No. 165 rep. 2003 No. 53
Note to r. 4M (2).....	ad. 2002 No. 332 rep. 2003 No. 53
R. 4MA.....	ad. 2002 No. 332
Note to r. 4MA (2)	rs. 2003 Nos. 53 and 97 rep. 2006 No. 265

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 4N.....	ad. Act No. 75, 1981 (as am. by Act No. 39, 1983) am. 1984 No. 317; 1985 No. 96; 1988 No. 177 rep. 1990 No. 324 ad. 2000 No. 299 rs. 2006 No. 265
Note to r. 4N (2)	am. 2002 No. 332 rep. 2006 No. 265
R. 4P.....	ad. 1984 No. 128 am. 1988 No.177 rep. 1997 No. 254 ad. 2002 No. 30 am. 2002 No. 332
R. 4Q	ad. 1985 No. 377 am. 1986 No. 354; 1987 Nos. 98 and 321; 1990 No. 191; 1993 No. 257 rep. 1994 No. 241 ad. 2003 No. 166
R. 4QA.....	ad. 1990 No. 265 am. 1991 No. 76 rs. 1991 No. 248 am. 1996 No. 68; 2000 No. 32 rep. 2003 No. 97
Note to r. 4QA (1).....	ad. 2002 No. 332
R. 4QB.....	ad. 1992 No. 154 rep. 1996 No. 31
R. 4QC.....	ad. 1993 No. 67 rep. 1996 No. 31
R. 4QD.....	ad. 1994 No. 171 rep. 1994 No. 378
R. 4R.....	ad. 1989 No. 60 am. 1991 No. 289; 1992 No. 413; 1993 No. 211; 1995 No. 15; 1999 No. 201; 2002 No. 30
R. 4S.....	ad. 1997 No. 22 am. 1997 No. 285; 1999 No. 201; 2003 No. 210; 2006 No. 44
R. 4T.....	ad. 1999 No. 201
R. 4U.....	ad. 1999 No. 332 am. 2006 No. 44
R. 4V.....	ad. 2002 No. 81
R. 4W.....	ad. 2004 No. 142
R. 4X.....	ad. 2005 No. 163
R. 4Y.....	ad. 2006 No. 282
R. 4Z.....	ad. 2007 No. 5
R. 5	am. 1965 No. 135; 1966 No. 95; 1974 No. 249 rs. 1980 No. 382

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
	am. 1982 No. 44; 1986 Nos. 307 and 342; 1987 No. 101; 1988 No. 177; 1991 Nos. 23 and 289; 1993 No. 211; 1995 No. 15; 1997 No. 93; 1999 No. 202; 2000 No. 215
R. 5A.....	ad. 1970 No. 8 am. 1970 No. 72; 1974 No. 249; 1986 Nos. 307 and 342; 1987 No. 101; 1988 Nos. 177 and 374; 1989 No. 379; 1991 Nos. 23 and 289; 1993 No. 211; 1995 No. 15; 1999 No. 202; 2000 No. 215
R. 5B.....	ad. 1970 No. 8 am. 1970 No. 72; 1986 No. 342; 1987 No. 101; 1988 Nos. 177 and 374 rep. 1991 No. 23
R. 5C.....	ad. 1970 No. 8 am. 1970 No. 105; 1986 No. 342; 1987 No. 101; 1988 Nos. 177 and 374 rep. 1991 No. 23
R. 5D.....	ad. 1970 No. 8 am. 1986 No. 342; 1988 Nos. 177 and 374 rep. 1991 No. 23
R. 5E.....	ad. 1970 No. 8 am. 1970 No. 72; 1986 No. 342; 1988 Nos. 177 and 374 rep. 1991 No. 23
R. 5F.....	ad. 1970 No. 8 am. 1970 No. 72; 1986 No. 342; 1987 No. 101; 1988 Nos. 177 and 374; 1991 Nos. 23 and 289; 1993 No. 211; 1995 No. 15; 1999 No. 202
R. 5G.....	ad. 1970 No. 8 am. 1970 No. 72; 1976 No. 98; 1986 No. 342; 1988 Nos. 177 and 374 rep. 1991 No. 23 ad. 1999 No. 202
R. 5H.....	ad. 1976 No. 98 am. 1986 No. 342; 1987 No. 101; 1988 No. 177; 1991 Nos. 23 and 289; 1993 No. 211; 1995 No. 15; 1999 No. 202
R. 5HA.....	ad. 1991 No. 23 am. 1991 No. 289; 1993 Nos. 211 and 256; 1995 No. 15; 1999 No. 202
R. 5I.....	ad. 1987 No. 320 am. 1989 No. 60; 2000 No. 32; 2004 No. 245
R. 5J.....	ad. 1996 No. 325 am. 1996 No. 325; 1997 No. 93; 1999 Nos. 249 and 332
R. 5K.....	ad. 1997 No. 385 am. 2000 No. 32 rs. 2004 No. 108
R. 7.....	am. 1991 No. 289

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Schedule 1	
Heading to First Schedule...	rep. 1990 No. 460
Heading to Schedule 1.....	ad. 1990 No. 460
First Schedule.....	am. 1961 No. 117; 1962 No. 82; 1965 No. 135; 1967 No. 58; 1969 No. 218; 1970 No. 105; 1973 No. 93; 1974 No. 249; 1975 No. 62; 1985 No. 139; 1986 No. 180; 1988 Nos. 177, 326 and 375; 1989 No. 60
Schedule 1	am. 1990 No. 460; 1992 Nos. 49 and 189; 1996 No. 91; 1999 No. 332; 2002 No. 81; 2003 No. 18; 2005 No. 250
Schedule 2	
Heading to Second Schedule	rep. 1990 No. 324
Heading to Schedule 2.....	ad. 1990 No. 324
Second Schedule.....	am. 1958 Nos. 6 and 67; 1959 No. 93; 1962 No. 82; 1963 No. 26; 1964 No. 25; 1965 Nos. 81 and 135; 1967 Nos. 58 and 178; 1969 Nos. 2, 43 and 218; 1970 Nos. 105 and 194; 1972 No. 97; 1973 Nos. 5, 93, 217, 227 and 228; 1974 No. 249; 1975 No. 121; 1976 Nos. 98 and 291; 1977 Nos. 18 and 162; 1980 Nos. 78, 150, 211 and 380; 1981 Nos. 71 and 309; 1983 No. 331; 1984 No. 64; 1985 No. 96; 1986 No. 362; 1987 No. 98; 1988 Nos. 64 and 177; 1989 No. 60
Schedule 2.....	am. 1990 Nos. 324 and 460; 1991 No. 248; 1992 No. 49; 1993 No. 382; 1994 No. 314; 1995 No. 89; 1996 No. 91; 1997 Nos. 93 and 317; 2002 No. 30; 2005 Nos. 174 and 249
Schedule 3	
Heading to Third Schedule	rep. 1990 No. 460
Heading to Schedule 3.....	ad. 1990 No. 460
Third Schedule.....	am. 1958 No. 6; 1959 No. 17; 1960 No. 22; 1961 No. 117; 1962 No. 82; 1964 No. 39; 1965 No. 91; 1968 No. 141; 1969 Nos. 2 and 218; 1970 Nos. 8 and 105; 1972 No. 97; 1973 No. 42; 1975 No. 62; 1976 No. 98; 1977 No. 23; 1978 No. 276; 1979 No. 155; 1980 No. 376; 1981 Nos. 71, 176 and 383; 1982 No. 236; 1984 No. 260; 1987 Nos. 37 and 101; 1988 Nos. 177, 326, 327 and 375; 1989 No. 60
Schedule 3.....	am. 1990 Nos. 460 and 467; 1991 No. 248; 1992 No. 49; 1995 No. 15; 1996 Nos. 59, 91 and 324; 1997 Nos. 93 and 386; 2000 Nos. 32 and 143; 2002 Nos. 30 and 206; 2004 No. 261

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Schedule 3A	
Schedule 3A	ad. 2000 No. 214
Schedule 3B	
Heading to Schedule 3B	rs. 2006 No. 180
Schedule 3B	ad. 2003 No. 321 am. 2006 No. 180
Schedule 4	
Fourth Schedule.....	am. 1958 No. 6; 1959 No. 31 rs. 1961 No. 117; 1965 No. 135 am. 1966 No. 95; 1967 Nos. 58 and 114; 1968 No. 100; 1969 Nos. 7, 39 and 218; 1970 No. 105; 1973 No. 175; 1974 No. 249; 1976 Nos. 98 and 186; 1984 No. 261 rs. 1980 No. 382 am. 1982 No. 44; 1984 No. 261; 1986 No. 385; 1988 No. 136 rep. 1991 No. 289
Schedule 4	ad. 1991 No. 289 am. 1993 No. 211; 1996 No. 226; 1997 No. 285; 1999 No. 250; 2000 No. 214; 2002 No. 30; 2005 No. 279
Schedule 5	
Heading to Fifth..... Schedule	rep. 1991 No. 289
Heading to Schedule 5.....	ad. 1991 No. 289
Schedule 6	
Sixth Schedule.....	ad. 1968 No. 161 rep. 1973 No. 6 ad. 1973 No. 43 am. 1974 No. 123 rep. 1980 No. 376
Schedule 6.....	ad. 1980 No. 376 rep. 1992 No. 286 ad. 1996 No. 91 am. 1996 Nos. 123 and 324; 1997 No. 285; 1998 Nos. 52, 58 and 228; 2000 Nos. 32 and 234; 2001 No. 60; 2002 No. 331; 2003 Nos. 26 and 253; 2004 No. 72; 2006 No. 242
Schedule 7	
Heading to Seventh	rep. 1991 No. 289
Heading to Schedule 7.....	ad. 1991 No. 289
Seventh Schedule.....	ad. 1973 No. 262

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Schedule 7A	
Schedule 7A	ad. 1985 No. 377 am. 1986 No. 354; 1987 Nos. 98 and 321; 1990 No. 191; 1993 No. 257 rep. 1994 No. 241 ad. 1999 No. 202 am. 2000 No. 75; 2002 No. 30
Schedule 8	
Heading to Eighth Schedule	rep. 1991 No. 289
Heading to Schedule 8.....	ad. 1991 No. 289
Eighth Schedule.....	ad. 1976 No. 98 am. 1976 No. 291; 1979 No. 145; 1980 No. 368; 1986 No. 342; 1987 Nos. 37 and 101; 1988 No. 177; 1991 No. 23
Schedule 8.....	am. 1993 Nos. 211 and 256; 2000 No. 75; 2002 No. 30
Schedule 9	
Heading to Schedule 9.....	am. 2000 No. 32 rs. 2004 No. 245
Schedule 9.....	ad. 1978 No. 276 rep. 1981 No. 309 ad. 1987 No. 320 am. 1988 No. 327; 2000 No. 32 rs. 2004 No. 245
Schedule 10	
Schedule 10.....	ad. 1978 No. 276 am. 1979 No. 145; 1980 No. 376 rep. 1981 No. 309 ad. 1997 No. 385 am. 2004 No. 108
Schedule 11	
Schedule 11.....	ad. 1996 No. 325 am. 1999 No. 332; 2002 No. 30
Schedule 12	
Schedule 12.....	ad. 1999 No. 332 am. 2002 No. 30; 2003 No. 54; 2006 No. 44

Table A **Application, saving or transitional provisions****Statutory Rules 2001 No. 60****4** **Transitional**

- (1) The amendment made by item [24] of Schedule 1 to these Regulations applies in relation to a category H article that is imported after the commencement of these Regulations under item 7 of Part 1 of Schedule 6 to the *Customs (Prohibited Imports) Regulations 1956*, as amended by these Regulations.
 - (2) A category H article that was imported under item 7 of Part 1 of Schedule 6 to the *Customs (Prohibited Imports) Regulations 1956*, as in force immediately before the commencement of these Regulations, is, after the commencement of these Regulations:
 - (a) in the case of an article that was imported for demonstration or testing purposes — not subject to the conditions mentioned in subitem 5.3 of Part 3 of Schedule 6 to the *Customs (Prohibited Imports) Regulations 1956*, as in force immediately before the commencement of these Regulations; and
 - (b) in any other case — subject to the conditions mentioned in subitem 5.2 of Part 3 of Schedule 6 to the *Customs (Prohibited Imports) Regulations 1956*, as in force immediately before the commencement of these Regulations.
-

Table A

Statutory Rules 2003 No. 97

4 Extra-territorial operation of Regulations

These Regulations have extra-territorial operation according to their terms.

5 Application of Regulations

These Regulations apply to a person in Australia or a citizen of Australia who is outside Australia.

6 Application of Criminal Code

Chapter 2 of the *Criminal Code* applies to all offences created by these Regulations.

Note Chapter 2 of the *Criminal Code* sets out the general principles of criminal responsibility.

Part 2 General provisions relating to Iraq

7 Cultural property

A person must not transfer an item of cultural property that:

- (a) was illegally removed from a place in Iraq (including the Iraq National Museum or the National Library of Iraq) after the adoption of Resolution 661; or
- (b) the person ought reasonably to suspect was illegally removed from a place in Iraq (including the Iraq National Museum or the National Library of Iraq) after the adoption of Resolution 661.

Penalty: 50 penalty units.

8 Return of cultural property

A person who is in possession or control of an item of cultural property mentioned in regulation 7 must, as soon as practicable, give the property to:

- (a) a member of the personnel of the United Nations; or

Table A

-
- (b) a member of the Defence Forces; or
 - (c) a representative of the Authority mentioned in Resolution 1483; or
 - (d) a representative of the Iraq National Museum or the National Library of Iraq; or
 - (e) a representative of the place from which the item was removed, or is reasonably suspected of having been removed; or
 - (f) a member of the Australian Federal Police, or of a police force of a State or Territory.

Penalty: 50 penalty units.

Note The Commonwealth will make arrangements to ensure that a person mentioned in paragraph (b) or (f) will arrange for the safe return of an item to the appropriate institution in Iraq.

9 Status of petroleum, petroleum products, and natural gas originating in Iraq

- (1) An action, suit or proceeding does not lie in respect of anything done, or omitted to be done, in relation to:
 - (a) petroleum that originates in Iraq; or
 - (b) another petroleum product that originates in Iraq; or
 - (c) natural gas that originates in Iraq;at any time before the title in the petroleum, petroleum product or natural gas passes to the initial purchaser of the petroleum, petroleum product or natural gas.
- (2) This regulation ceases to have effect on the earlier of:
 - (a) the end of 31 December 2007; and
 - (b) the time, before the end of 31 December 2007, that the Security Council declares to be the time at which it is no longer necessary for the arrangement described in subregulation (1) to operate.