



# **Customs (Prohibited Exports) Amendment (Defence Trade Controls) Regulation 2013**

## **Select Legislative Instrument No. 90, 2013**

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I, Professor Marie Bashir AC CVO, Administrator of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Customs Act 1901*.

Dated 30 May 2013

Marie Bashir  
Administrator

By Her Excellency's Command

Jason Clare  
Minister for Home Affairs

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No. 90, 2013      *Customs (Prohibited Exports) Amendment (Defence Trade Controls)  
Regulation 2013*      *i*

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## **1 Name of regulation**

This regulation is the *Customs (Prohibited Exports) Amendment (Defence Trade Controls) Regulation 2013*.

## **2 Commencement**

This regulation commences on the commencement of section 27 of the *Defence Trade Controls Act 2012*.

## **3 Authority**

This regulation is made under the *Customs Act 1901*.

## **4 Schedule(s)**

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Customs (Prohibited Exports) Regulations 1958*

#### **1 Subregulation 13E(1)**

Insert:

*Article 3(1) US Defence Articles* has the meaning given by section 5 of the *Defence Trade Controls Act 2012*.

*Article 3(3) US Defence Articles* has the meaning given by section 5 of the *Defence Trade Controls Act 2012*.

*Australian Community member* has the meaning given by subsection 4(1) of the *Defence Trade Controls Act 2012*.

*Australian Defence Articles* has the meaning given by section 4 of the *Defence Trade Controls Regulation 2013*.

#### **2 Subregulation 13E(1)**

Insert:

*Defense Trade Cooperation Treaty* has the meaning given by subsection 4(1) of the *Defence Trade Controls Act 2012*.

#### **3 At the end of subregulation 13E(2)**

Add:

- ; or (f) both of the following conditions are satisfied for the goods:
- (i) the goods are Article 3(1) US Defence Articles, Article 3(3) US Defence Articles or Australian Defence Articles;
  - (ii) the goods are to be exported from Australia by an Australian Community member for one or more of the activities mentioned in paragraphs (a) to (d) of Article 3(1) of the Defense Trade Cooperation Treaty.