Commonwealth Coat of Arms

Customs Amendment (Record Keeping Requirements and Other Measures) Regulation 2013

Select Legislative Instrument No. 251, 2013

I, Quentin Bryce AC CVO, Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Customs Act 1901*.

Dated 21 November 2013

Quentin Bryce

Governor‑General

By Her Excellency’s Command

Scott Morrison MP

Minister for Immigration and Border Protection

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1 Name of regulation

This regulation is the *Customs Amendment (Record Keeping Requirements and Other Measures) Regulation 2013*.

2 Commencement

Each provision of this regulation specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provision(s) | Commencement | Date/Details |
| 1. Sections 1 to 4 and anything in this regulation not elsewhere covered by this table | The day after this regulation is registered. |  |
| 2. Schedule 1 | The later of:  (a) the day after this regulation is registered; and  (b) the day on which Part 2 of Schedule 1 to the *Customs and AusCheck Legislation Amendment (Organised Crime and Other Measures) Act 2013* commences.  However, the provision(s) do not commence at all if the event mentioned in paragraph (b) does not occur. |  |
| 3. Schedule 2 | The day after this regulation is registered. |  |

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 contingent on the Customs and AusCheck Legislation Amendment (Organised Crime and Other Measures) Act 2013

Customs Regulations 1926

1 After regulation 95AB

Insert:

95AC Particulars about persons who enter a cargo terminal

For subsection 102CE(3) of the Act, the particulars prescribed in relation to a record of a person’s entry to a cargo terminal are:

(a) the person’s full name; and

(b) the time and date the person enters the terminal; and

(c) the time and date the person leaves the terminal; and

(d) if the person enters the terminal using an electronic access card—the following:

(i) the type of electronic access card used by the person (for example, a transport security identification card);

(ii) the unique identifier assigned to the electronic access card used by the person; and

(e) if the person enters the terminal other than by using an electronic access card—the following:

(i) the form of identification used by the person on entering the terminal (for example, a transport security identification card, driver’s licence or passport);

(ii) the unique identifier on the identification used by the person (for example, the transport security identification card number, driver’s licence number or passport number);

(iii) the name of the person at the terminal who sighted the identification used in relation to the person’s entry to the terminal;

(iv) if the person entering the terminal is visiting a person at the terminal—the name of the person being visited by the person entering the terminal.

Schedule 2—Amendments commencing on day after registration

Customs (Prohibited Imports) Regulations 1956

1 Subitem 5.2 of Part 3 of Schedule 6

Omit “, 5.5”.

2 Subitems 5.5A, 5.5 and 5.6 of Part 3 of Schedule 6

Repeal the subitems, substitute:

5.5 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.

5.6 If the importer disposes of the article in a way authorised by subitem 5.4, the importer must give to a Collector, within 30 days after disposal, a written declaration by the importer:

(a) stating that the importer has disposed of the article in a way authorised by subitem 5.4; and

(b) giving details of the disposal.