



Customs (Prohibited Imports) Amendment (Firearms and Weapons) Regulations 2021

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 09 December 2021

David Hurley
Governor-General

By His Excellency's Command

Jason Wood
Assistant Minister for Customs, Community Safety and Multicultural Affairs
Parliamentary Secretary to the Minister for Home Affairs

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1 Name

This instrument is the *Customs (Prohibited Imports) Amendment (Firearms and Weapons) Regulations 2021*.

2 Commencement

- (1) Each provision of this instrument 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
Provisions	Commencement	Date/Details
1. The whole of this instrument	15 December 2021.	15 December 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

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

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Imports) Regulations 1956

1 Subregulation 4F(1)

Omit “, (2A)”.

2 Subregulation 4F(4)

Insert:

barrel extension means a metal projection:

- (a) which extends rearward from the breech end of a firearm barrel; and
- (b) into which the breech locks while the firearm is in battery or firing position.

3 Subregulation 4F(4) (at the end of paragraph (c) of the definition of *firearm*)

Add:

- ; (xii) a hand-held electric device to which item 3 of Part 2 of Schedule 13 applies.

4 Subregulation 4F(4) (after paragraph (b) of the definition of *firearm part*)

Insert:

- ; (ba) a barrel extension;

5 After paragraph 1.3(a) of Part 1 of Schedule 6

Insert:

- (aa) an article that is to be imported by a person for the purposes of supplying the article to another person to enable that other person to supply the article to the government under a contract in force when the article is to be imported; and

6 After paragraph 1.3(b) of Part 1 of Schedule 6

Insert:

- (ba) an article that is to be imported by a person for the purposes of enabling another person to show or demonstrate the article (including as part of another article) to the government:
 - (i) under a contract or proposed contract; or
 - (ii) as part of a tender process; and

7 Subitem 1.4 of Part 1 of Schedule 6 (cell at table item 1, column headed “Ownership arrangements”)

Repeal the cell, substitute:

The article may be owned by any person.

8 Subparagraph 2.2(g)(ii) of Part 1 of Schedule 6

Repeal the subparagraph.

9 Sub-subparagraph 2.2(g)(iv)(A) of Part 1 of Schedule 6

After “tender”, insert “involving the government of the Commonwealth, a State or Territory”.

10 Part 2 of Schedule 6 (table item 2, column 2, after paragraph (g))

insert:

(ga) a self-opening repeating action shotgun:

- (i) without a firearm magazine; or
- (ii) fitted with a firearm magazine having a capacity of no more than 5 rounds;

11 Part 2 of Schedule 6 (cell at table item 2B, column 3)

Repeal the cell, substitute:

The importation must comply with at least one of the following tests:

- (a) the official purposes test;
- (b) the specified purposes test;
- (c) the police certification test.

12 Part 2 of Schedule 6 (table item 6, column 2, paragraph (d))

Omit “pump-action”, substitute “pump action”.

13 Part 2 of Schedule 6 (table item 6, column 2, after paragraph (d))

Insert:

(da) a self-opening repeating action shotgun fitted with a firearm magazine of a capacity greater than 5 rounds;

14 Part 2 of Schedule 6 (at the end of the cell at table item 14A, column 2)

Add:

Detachable firearm magazine (other than a gravity-fed paintball hopper) designed exclusively for use with a paintball marker and paintballs.

Paintballs.

15 Part 2 of Schedule 6 (table item 15, column 2)

After “Detachable firearm magazine”, insert “(other than a firearm magazine to which item 14A applies)”.

16 Part 2 of Schedule 6 (table item 15, column 2, paragraph (b))

Omit “pump-action”, substitute “pump action”.

17 Part 2 of Schedule 6 (table item 15, column 2, paragraph (c))

Repeal the paragraph, substitute:

- (c) fully automatic shotguns; or
- (d) self-opening repeating action shotguns;

18 Part 2 of Schedule 6 (table item 16, column 2)

After “Detachable firearm magazine”, insert “(other than a firearm magazine to which item 14A applies)”.

19 Part 2 of Schedule 6 (table item 16, column 2, paragraph (b))

Omit “pump-action”, substitute “pump action”.

20 Part 2 of Schedule 6 (table item 16A, column 2)

After “Detachable firearm magazine”, insert “(other than a firearm magazine to which item 14A applies)”.

21 Part 2 of Schedule 6 (table item 16A, column 2)

Omit “pump-action”, substitute “pump action”.

22 Part 2 of Schedule 6 (table item 17, column 2, paragraph (a))

After “item”, insert “14A,”.

23 Part 2 of Schedule 6 (at the end of the cell at table item 17, column 3)

Add:

; (e) the dealer test.

24 Part 2 of Schedule 6 (table item 20, column 2)

Omit “, 12 or 14A”, substitute “or 12”.

25 Subitem 3.1 of Part 3 of Schedule 6

Omit all the words from and including “following conditions”, substitute “condition that the importer must comply with any condition or requirement specified, in relation to the article, in the Minister’s permission.”.

26 After paragraph 1.4(a) of Part 1 of Schedule 13

Insert:

- (aa) a good that is to be imported by a person for the purposes of supplying the good to another person to enable that other person to supply the good to the government under a contract in force when the article is to be imported;
and

27 After paragraph 1.4(b) of Part 1 of Schedule 13

Insert:

- (ba) a good that is to be imported by a person for the purposes of enabling another person to show or demonstrate the good (including as part of another article) to the government:
 - (i) under a contract or proposed contract; or
 - (ii) as part of a tender process; and

28 Subitem 1.5 of Part 1 of Schedule 13 (cell at table item 1, column headed “Ownership arrangements”)

Repeal the cell, substitute:

The article may be owned by any person.

29 Subparagraph 2.2(f)(ii) of Part 1 of Schedule 13

Repeal the subparagraph.

30 Subparagraph 2.2(f)(iii) of Part 1 of Schedule 13

Omit “that kind.”, substitute “that kind;”.

31 Sub-subparagraph 2.2(f)(iv)(A) of Part 1 of Schedule 13

After “tender”, insert “involving the government of the Commonwealth, a State or Territory”.

32 Part 2 of Schedule 13 (table item 4, column headed “Weapons and weapon parts”)

After “Parts”, insert “(including cartridges)”.

33 Subitem 1.1 of Part 3 of Schedule 13

Omit all the words from and including “following conditions”, substitute “condition that the importer must comply with any condition or requirement specified, in relation to the good, in the permission.”.