

Customs (Prohibited Imports) Amendment (Directed Energy Weapons) Regulations 2023

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 23 November 2023

David Hurley

Governor‑General

By His Excellency’s Command

Clare O’Neil

Minister for Home Affairs

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1 Name

 This instrument is the *Customs (Prohibited Imports) Amendment (Directed Energy Weapons) Regulations 2023*.

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 | The day after this instrument is registered. | 24 November 2023 |

Note: This table relates only to the provisions of this instrument as originally made.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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Part 2 of Schedule 13 (at the end of the table)

Add:

|  |  |  |
| --- | --- | --- |
| 50 | Directed energy weapons or similar devices (not including devices to which item 44 applies) that:(a) are designed to damage their target with highly focused energy (including high energy lasers, high power microwaves, particle beams and sound beams) without a solid projectile; and(b) when discharged, are capable of causing:(i) damage to property; or(ii) bodily harm | The importation must comply with at least one of the following tests:(a) the official purposes test;(b) the specified purposes test;(c) the returned goods test;(d) the national interest test |
| 51 | Parts for directed energy weapons or similar devices to which item 50 applies | The importation must comply with at least one of the following tests:(a) the official purposes test;(b) the specified purposes test;(c) the returned goods test;(d) the national interest test |