



Customs (Prohibited Imports) (Vaping Goods) Approval 2023

I, Mark Butler, Minister for Health and Aged Care, make the following instrument.

Dated 21 December 2023

Mark Butler
Minister for Health and Aged Care

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Definitions	1
5	Approval of importation of vaping goods	1

1 Name

This instrument is the *Customs (Prohibited Imports) (Vaping Goods) Approval 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	Immediately after the commencement of the <i>Customs Legislation Amendment (Vaping Goods) Regulations 2023</i> .	1 January 2024

Note: This table relates only to the provisions of this instrument as originally made.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 subregulation 5A(5) of the *Customs (Prohibited Imports) Regulations 1956*.

4 Definitions

In this instrument:

police officer has the same meaning as in subsection 4(2) of the *Customs Act 1901*.

5 Approval of importation of vaping goods

The importation into Australia of vaping goods is approved if the vaping goods are imported:

- (a) by a person who is:
- (i) a member of a group of persons who are visiting Australia to participate in a national or international sporting event; and
 - (ii) responsible for the medical treatment of the persons in the group; and
 - (iii) responsible for the control and custody of the vaping goods while the group is in Australia; or
- (b) by a person who is:
- (i) a member of a group of persons, being members of the military forces of another country who are visiting Australia for military training; and

Section 5

- (ii) responsible for the medical treatment of the persons in the group; and
 - (iii) responsible for the control and custody of the vaping goods while the group is in Australia; or
- (c) by a person who is:
- (i) a member of a group of persons, being a group that includes a person who is the Head of State or Head of Government of a foreign country and senior Government officials of that country, who are visiting Australia on official business; and
 - (ii) responsible for the medical treatment of the persons in the group; and
 - (iii) responsible for the control and custody of the vaping goods while the group is in Australia; or
- (d) by a police officer for the purposes of criminal investigation or law enforcement (including criminal prosecution).