

Customs (Prohibited Exports) Amendment (Defence Trade Controls) Regulations 2025

I, the Honourable Sam Mostyn AC, Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 20 February 2025

Signed

Sam Mostyn AC

Governor‑General

By Her Excellency’s Command

Tony Burke

Minister for Home Affairs

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1 Name

 This instrument is the *Customs (Prohibited Exports) Amendment (Defence Trade Controls) Regulations 2025*.

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. | 22 February 2025 |

Note: This table relates only to the provisions of this instrument as originally made.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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Exports) Regulations 1958

1 Subregulation 13EA(5C)

Repeal the subregulation, substitute:

Goods exported in the course of certain supplies

 (5C) The exportation of goods is not prohibited under subregulation 13E(1) if:

 (a) the goods are:

 (i) DSGL goods (within the meaning of the *Defence Trade Controls Act 2012*); or

 (ii) goods containing DSGL technology; and

 (b) the DSGL goods or DSGL technology is:

 (i) an Australian Military Sales Program item (within the meaning of that Act); or

 (ii) any other DSGL goods or DSGL technology not excluded by a determination in force under subsection 5C(3) of that Act; and

 (c) the goods are exported in the course of a supply (within the meaning of that Act) made in accordance with an agreement or arrangement between Australia and one or more foreign countries, including an agreement, arrangement or understanding between a Minister and an official or authority of one or more foreign countries.