



# CUSTOMS REGULATIONS 1986

[Consolidated as at 22 March 2014  
on the authority of the Administrator  
and in accordance with  
the Enactments Reprinting Act 1980]

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## Customs Regulations 1986

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### Short title

1. These Regulations may be cited as the *Customs Regulations 1986*.

### Repeal

2. The Regulations specified in Schedule 3 are repealed.

### Interpretation

3. (1) In these Regulations unless the contrary intention appears —

“battery-powered”, in relation to a device, means a device that is capable of being operated by a source of power contained within the device;

“family”, in relation to a passenger, means the passenger's spouse and their dependant child or children, if any, not over 18 years of age;

“portable”, in relation to an object, means an object —

- (a) capable of being carried by the unaided strength of a person; and
- (b) designed and intended for use other than in a fixed location;

“postal article” means any article transmissible by post;

“the Act” means the *Customs Act 1913*.

- (2) In these Regulations, a reference to a form by number is a reference to a form so numbered in Schedule 1.

(3) For the purposes of these Regulations, unless the contrary intention appears, words, expressions and provisions contained in these regulations have the same interpretation, application and effect as they have under the Act.

- (4) A reference in these Regulations to a licence of a class identified by a letter shall be read as reference to a licence of the class so identified in Regulation 15A.

**Personal effects**

**4. (1)** Subject to these Regulations, for the purposes of paragraph 2A(1)(b) of the Act, prescribed personal effects are effects —

- (a) not in excess of the quantity reasonably required by a passenger for the passenger's own use or the use of the passenger's family; and
- (b) specified in subregulation 4(2).

**(2)** For the purposes of subregulation 4(1), the following are prescribed personal effects:

- (a) wearing apparel;
- (b) articles for personal hygiene, health maintenance, grooming or adornment;
- (c) goods, excluding cigarettes, cigars, tobacco and liquor, not otherwise specified in this regulation to a total value not exceeding —
  - (i) \$900 for an adult passenger; and
  - (ii) \$450 for a passenger less than 18 years; andfamily members may combine their concessions.
- (d) tobacco products, being —
  - (i) cigarettes;
  - (ii) cigars not exceeding 250 grams in weight; or
  - (iii) tobacco not exceeding 250 grams in weight;
- (e) liquor;
- (f) cameras;
- (g) exposed photographic films;
- (h) typewriters;
- (i) wheelchairs, prostheses and mobility aids other than motor vehicles;
- (j) sporting equipment other than motor vehicles, aircraft or boats;
- (k) portable instruments, tools or equipment used by the passenger in the practice of the passenger's profession or trade;
- (l) cycles other than motor vehicles;
- (m) boats not exceeding 4 metres in length;
- (n) portable battery-powered radio and television receivers;
- (o) portable battery-powered devices for recording or retrieving images or sound;
- (p) portable battery-powered devices for recording, storing, retrieving or processing data or words;
- (q) scientific, technical or educational equipment intended for use in Norfolk Island for a public purpose.

**Prescribed personal effects that are motor vehicles**

**5.** Subject to these Regulations and for the purposes of paragraph 2A(1)(b) of the Act, prescribed personal effects include a motor vehicle where —

- (a) the passenger satisfies the Collector that —
  - (i) the passenger ordinarily resides or intends to reside in Norfolk Island; and
  - (ii) the vehicle was, for the whole of the period of 12 months immediately preceding the passenger's departure for Norfolk Island, owned and used outside Norfolk Island by the passenger or a member of the passenger's family;
- (b) the passenger or a member of the passenger's family has not, under any provision of the Act, on a previous occasion imported a motor vehicle without payment of duty; and
- (c) the passenger lodges with the Collector an undertaking that the amount of duty that would be payable on the vehicle on importation if the vehicle were not being admitted free under paragraph 2A(1)(b) of the Act shall be paid to the Collector where the vehicle is sold or otherwise disposed of in Norfolk Island by, or on behalf of, the passenger or his legal personal representative before the expiration of 2 years after the date of its importation into Norfolk Island.

**Personal effects not otherwise specified**

**6. (1)** Subject to these Regulations and for the purposes of paragraph 2A(1)(b) of the Act, prescribed personal effects include machinery, plant or equipment not otherwise specified in subregulation 4(2) where —

- (a) the value of the goods does not exceed \$1000;
- (b) the passenger satisfies the Collector that —
  - (i) the passenger has attained the age of 18 years;
  - (ii) the passenger ordinarily resides or intends to reside in Norfolk Island; and
  - (iii) the goods have been in the passenger's use and possession for not less than 12 months immediately preceding the commencement of the passenger's journey to Norfolk Island; and
- (c) the passenger lodges with the Collector an undertaking that the amount of duty that would be payable on the goods on importation if they were not being admitted free under paragraph 2A(1)(b) of the Act shall be paid to the Collector where the goods are sold or otherwise disposed of in Norfolk Island by, or on behalf of, the passenger or his legal personal representative before the expiration of 2 years after the date of their importation into Norfolk Island.

**Prescribed amounts**

7. For the purposes of subparagraph 2A(1)(b)(ii) of the Act, the prescribed amounts are —

- (a) 2.25 litres of liquor for each passenger 18 years and over; and
- (b) 250 cigarettes or 250 grams of tobacco products for each passenger 18 years and over.

**Exempted goods**

8. For subparagraphs 2A(1)(d)(i) and 2A(1)(d)(ii) of the Act, the amounts prescribed are respectively —

- (i) \$18; and
- (ii) \$3.

**Rate of exchange**

9. For the purposes of paragraph 2CA(b) of the Act, the rate of exchange applicable on the date of exportation is the rate ascertained by the Collector from the Commonwealth Bank of Australia as the seller's rate for foreign exchange on that date.

**Import entries**

10. (1) For the purposes of subsection 4A(1) of the Act, an entry in respect of cargo unshipped or to be unshipped shall be in accordance with —

- (a) Form 1 where the cargo is conveyed by air;
- (b) Form 2 where the cargo is conveyed by sea; and
- (c) Form 3 where the cargo is postal articles.

(2) A form referred to in paragraph 10(1)(a), 10(1)(b) or 10(1)(c) includes the declaration on the back of the form.

**Export entries**

11. (1) For the purposes of subsection 4B(2) of the Act, an export entry shall be in accordance with Form 4.

(2) Entries shall be made of the whole of the cargo to be shipped for export by a ship or aircraft from parts beyond the seas, and shall be presented to the Collector not later than 30 minutes before the departure of the ship or aircraft.

(3) A person shall not export by ship or aircraft from parts beyond the seas any cargo in respect of which an entry has not been made in accordance with this regulation.

Penalty: 10 penalty units.

**Manner of marking invoice**

12. For the purposes of subsection 4E(2) of the Act, the manner of marking a genuine invoice for goods shall be by marking with a stamp inscribed with the words “NORFOLK ISLAND CUSTOMS” or “COLLECTOR OF CUSTOMS”.

**Working days and hours**

- 13.** For the purposes of subsection 5F(1) of the Act —
- (a) the working days of the Customs are each day of the year except those days observed as public holidays in public offices in Norfolk Island in accordance with section 40 of the *Public Service Act* 1979; and
  - (b) the working hours of Customs on working days are from 8.45 a.m. to 5 p.m.

**Payment for attendance**

**14. (1)** Subject to Regulation 15, for the purposes of subsection 5G(1) of the Act, where the attendance of an officer is required at a ship or aircraft on a day that is not a working day or during hours that are not prescribed under regulation 13, the owner of that ship or aircraft shall pay to the Collector in respect of that attendance the amount specified in column 3 opposite the classification of a ship or aircraft specified in column 2 of Schedule 2.

**(2)** Where a classification of an aircraft is not specified in column 2 of Part 2 of Schedule 2, the amount referred to in subregulation 14(1) is the amount payable in respect of the classification in that Part of an aircraft of the next most similar length.

**Exemptions**

- 15.** Regulation 14 does not apply to a ship or aircraft that is —
- (a) carrying the head of state of a country;
  - (b) in, or apparently in, the service of the defence force of a country; or
  - (c) engaged for the purpose of -
    - (i) medical evacuation; or
    - (ii) search and rescue operations.

**Classes of warehouse licences**

**15A. (1)** Warehouse licences of the following classes may be granted by the Collector under section 8A of the Act:

- (a) Class A — General;
- (b) Class B — Special;
- (c) Class C — Manufacturing.
- (d) Class D — Low duty cigarettes and tobacco.

**(2)** Premises in respect of which a Class A licence is in force may be used in accordance with the Act for general warehousing of goods under Customs control.

**(3)** Premises in respect of which a Class B licence is in force may be used in accordance with the Act for special warehousing of goods under Customs control.

**(4)** Premises in respect of which a Class C licence is in force may be used in accordance with the Act for manufacturing in relation to goods under Customs control.

(5) Premises in respect of which a Class D licence is in force may be used in accordance with the Act for warehousing of low duty cigarettes and tobacco goods under Customs control.

**Warehouse licence — application fee**

**15B. (1)** For the purpose of paragraph 8(1)(e) of the Act, the fee to accompany an application for a warehouse licence is 10 fee units.

(2) Subject to subregulation 15B(3), an applicant for a Class B licence is required to pay a licence fee of \$30,000, in addition to the application fee referred to in subregulation 15B(1), prior to the grant of the licence.

(2A) An applicant for a Class C or Class D licence is required to pay a licence fee of \$200 per month, in addition to the application fee referred to in subregulation 15B(1).

(2B) The applicant shall pay the application fee and the first licence fee payment of the \$200 referred to in subregulation 15B(2A), prior to the grant of the Class C or Class D licence.

(2C) The applicant shall pay further additional licence fees of \$200 on the first day of the relevant month.

(3) Subregulation 15B(2) does not apply in relation to an application under subsection 17(2) of the *Customs Amendment Act 1997* for a Class B licence by an owner of approved premises that were used for the warehousing of tobacco products in the 12 months before the repeal of former section 7.

(4) In this Regulation —

“approved premises” has the same meaning as in section 17 of the *Customs Amendment Act 1997*;

“former section 7” means section 7 of the Act as in force immediately before its repeal by section 14 of the *Customs Amendment Act 1997*.

**Warehouse licence — duration**

**15C.** For the purpose of subsection 8C(1) of the Act, the period for which a warehouse licence remains in force subject to the Act is 12 months.

**Warehouse licence — renewal fee**

**15D.** For the purpose of paragraph 8C(2)(b) of the Act, the fee to accompany an application for renewal of a warehouse licence is 10 fee units.

**Warehouse licence — variation of premises**

**15E.** The fee to accompany an application to vary a warehouse licence in respect of the premises to which the licence relates is 10 fee units.

**Prescribed postal articles**

**16.** For the purposes of subsection 10(2) of the Act, a prescribed postal article is a postal article of which —

- (a) the dimensions do not exceed 310 x 220 x 10 millimetres; or
- (b) if the postal article is in roll form - the length plus twice the diameter does not exceed 700 millimetres .



## SCHEDULE 1

[illegible]

(Back of Form 1)

**DECLARATION**

I **DECLARE** that —

1.     \*I, \_\_\_\_\_, am the authorised agent of the  
         owner  
         I, \_\_\_\_\_, am the owner  
         of the goods in this entry.
2.     The description and particulars of the goods as stated in this entry are true and correct  
         in every respect.
3.     No goods are contained in any package specified in this entry other than as appear in  
         the entry.
4.     Nothing on my part or to my knowledge on the part of any person has been concealed  
         or suppressed in connection with this entry.
5.     I enter the goods as of the value and of the description and quantities stated in this  
         entry and for home consumption.
6.     The value for duty of the goods as stated in this entry is correct and represents the  
         value for duty of the goods calculated in accordance with the *Customs Act 1913*.
7.     The invoice now produced is the genuine invoice for the goods as stated in this entry  
         and is the only invoice received or expected to be received by me or to my knowledge  
         by any person for such goods.

\_\_\_\_\_  
Owner/Agent \*

**DECLARED** before me at Norfolk Island this \_\_\_\_\_ day of  
\_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Collector

\* Strike out whichever is inapplicable

Form 2  
Section 4A(1)  
Regulation 10(1)(b)

(Back of Form 2)

### DECLARATION

I **DECLARE** that —

1.     \*I, \_\_\_\_\_, am the authorised agent of the owner  
        \*I, \_\_\_\_\_, am the owner  
        of the goods in this entry.
2.     The description and particulars of the goods as stated in this entry are true and correct in every respect.
3.     No goods are contained in any package specified in this entry other than as appear in the entry.
4.     Nothing on my part or to my knowledge on the part of any person has been concealed or suppressed in connection with this entry.
5.     I enter the goods as of the value and of the description and quantities stated in this entry and for home consumption.
6.     The value for duty of the goods as stated in this entry is correct and represents the value for duty of the goods calculated in accordance with the *Customs Act 1913*.
7.     The invoice now produced is the genuine invoice for the goods as stated in this entry and is the only invoice received or expected to be received by me or to my knowledge by any person for such goods.

\_\_\_\_\_  
 Owner/Agent \*

**DECLARED** before me at Norfolk Island this \_\_\_\_\_ day of  
 \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
 Collector

\* Strike out whichever is inapplicable



# ADMINISTRATION OF NORFOLK ISLAND

*Customs Act 1913 - Import Entry* (Postal)

Form 3  
Section 4A (1)  
Regulation 10(1) (c)

AIRCRAFT \_\_\_\_\_ Parcel Post \_\_\_\_\_ Arrived \_\_\_\_\_  
from \_\_\_\_\_  
SHIP \_\_\_\_\_ Date of Arrival \_\_\_\_\_ ENTRY NO. \_\_\_\_\_

OWNER OF GOODS: \_\_\_\_\_ per \_\_\_\_\_ Agent \_\_\_\_\_

[illegible]

TOTAL AMOUNT OF DUTY PAYABLE \$

Date	PASSED	Receipt No.	Amount \$
		Customs Officer	

Customs Officer

**NOTE: The owner or his agent must complete ALL the details required above and must then sign the declaration on the back of this entry.**

Outstanding Entries Register actioned	
Statistics entered	
Man. extract cleared	

(Back of Form 3)

**DECLARATION**I **DECLARE** that -

1.     \*I, \_\_\_\_\_, am the authorised agent of the owner  
        \*I, \_\_\_\_\_, am the owner  
        of the goods in this entry.
2.     The description and particulars of the goods as stated in this entry are true and correct in every respect.
3.     No goods are contained in any package specified in this entry other than as appear in the entry.
4.     Nothing on my part or to my knowledge on the part of any person has been concealed or suppressed in connection with this entry.
5.     I enter the goods as of the value and of the description and quantities stated in this entry and for home consumption.
6.     The value for duty of the goods as stated in this entry is correct and represents the value for duty of the goods calculated in accordance with the *Customs Act 1913*.
7.     The invoice now produced is the genuine invoice for the goods as stated in this entry and is the only invoice received or expected to be received by me or to my knowledge by any person for such goods.

\_\_\_\_\_  
 Owner/Agent \*

**DECLARED** before me at Norfolk Island this \_\_\_\_\_ day of  
 \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
 Collector

- Strike out whichever is inapplicable



ADMINISTRATION OF NORFOLK ISLAND  
*Customs Act 1913 – (Export)*

Form 4

Section 4B(2)

Regulation 11(1)

1. I, \_\_\_\_\_ declare that: -

2. I am – (A) the owner of the goods referred to in this declaration (the goods), or the owner of the goods is \_\_\_\_\_ of \_\_\_\_\_

(B) the final destination of the goods to be exported is \_\_\_\_\_

(C) I propose to export the goods on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

☐ by (i) Parcel Post

(ii) Air Freight

(ii) Air Freight ☐ (State Airline) ☐

(iii) Sea Freight

☐ (iii) Sea Freight ☐ (State Ship)

## ARTICLES FOR RETURN TO NORFOLK ISLAND

Please enclose this form when returning goods listed to facilitate customs clearance on arrival at Norfolk Island

[illegible]

(D) the particulars given herein are true and correct in every respect, and are given for the purpose of obtaining the authority of the Collector of Customs to export the goods.

Owner/Agent

**AUTHORITY FOR EXPORT**

Pursuant to Section 5 of the *Customs Act 1913* and in reliance of the truth of the above declaration declared before me I grant a warrant to export the above mentioned goods.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 198\_\_\_\_\_

Collector of Customs \_\_\_\_\_ No. \_\_\_\_\_

**SCHEDULE 2***Regulation 14(1)*

Column 1 Item	Column 2 Classification	Column 3 Amount Payable
PART 1 — SHIPS		\$
1.	Trawlers, tugs and barges	90
2.	Yachts and motor launches with more than 6 berths	60
3.	Yachts and motor launches not otherwise classified	45
4.	Fuel and Gas Tankers	90
5.	Ships not otherwise classified	120
PART 2 — AIRCRAFT		
6.	Boeing 727	120
7.	Boeing 737	120
8.	Boeing 767	120
9.	ATR 42	90
10.	DASH 7	90
11.	DASH 8	90
12.	BAE 146	90
13.	BAE 146 - (Airfreighter)	120
14.	Fokker F28	90
15.	Fokker F28 - (Airfreighter)	120
16.	Lockheed C130 Hercules	90
17.	Lockheed C130 Hercules - (Airfreighter)	120
18.	Hawker Siddeley Argosy	90
19.	Hawker Siddeley Argosy - (Airfreighter)	120
20.	Bristol Freighter	90
21.	Bristol Freighter - (Airfreighter)	120
22.	Fokker F27	90
23.	Beech Super Kingair 200	60
24.	Challenger	60
25.	Lear jet	60
26.	Cessna Citation	60
27.	Bandeirante	60
28.	Light aircraft and helicopters not otherwise classified	45



**SCHEDULE 3***Reg 2*

Customs Regulations, being regulations made on 28 September 1936

Regulations No. 1 of 1961  
 Regulations No. 2 of 1969  
 Regulations No. 4 of 1980  
 Regulations No. 3 of 1981  
 Regulations No. 1 of 1985

**NOTES**

The Customs Regulations as shown in this consolidation comprises Regulations and amendments as indicated in the Tables below.

<b>Enactment</b>	<b>Number and year</b>	<b>Date of commencement</b>	<b>Application saving or transitional provision</b>
<i>Customs Regulations 1986</i>	10, 1986	4.12.86	
<i>Customs Amendment Regulations 1990</i>	8, 1990	22.11.90	
<i>Customs Amendment Regulations 1997</i>	4, 1997	10.4.97	
<i>Customs (Cigarettes and Tobacco) Amendment Regulations 2002</i>	5, 2002	30.8.02	
[previously consolidated as at 12 December 2002]			
<i>Customs (Amendment) Regulations 2008</i>	8, 2008	21.8.08	
[previously consolidated as at 21 August 2008]			
<i>Customs (Amendment) Regulations 2011</i>	2, 2011	30.6.11	
[previously consolidated as at 6 July 2011]			
<i>Customs (Amendment) Regulations 2014</i>	1, 2014	21.3.14	

**Table of Amendments**

ad = added or am = amended rep = repealed rs = repealed and  
inserted substituted

Provisions affected	How affected	
3	am	4, 1997
4(2)(c)	am	8, 2008
7(a), (b)	rs	8, 2008
8	am	8, 2008; 2, 2011; 1, 2014
13	am	8, 1990
15A	ad	4, 1997
	am	5, 2002
15B	am	5, 2002
15D	ad	4, 1997
15C	ad	4, 1997
15D	ad	4, 1997
15E	ad	4, 1997
Schedule 2	rs	8, 1990

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