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Statutory Rules 1994 No. L<sup>1</sup>

172/

## Customs (Prohibited Exports) Regulations<sup>2</sup> (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Customs Act 1901*.

Dated L 1994.

1 June/

L BILL HAYDEN/  
Governor-General

By His Excellency's Command,

L

C. SCHACHT/

Minister for Small Business, Customs and Construction

### 1. Amendment

1.1 The Customs (Prohibited Exports) Regulations are amended as set out in these Regulations.

[NOTE: These Regulations commence on gazettal: see *Acts Interpretation Act 1901*, s. 48.]

**2. Regulation 2 (Interpretation)****Subregulation 2 (1):**

Insert the following definitions:

“ ‘**American Petroleum Institute 610 Standards**’ means the document of that title:

- (a) published by the American Petroleum Institute; and
- (b) in force on the day on which Part 2 of Schedule 14A commences;

‘**American Society of Mechanical Engineers 1 Standards**’ means the document of that title:

- (a) published by the American Society of Mechanical Engineers; and
- (b) in force on the day on which Part 2 of Schedule 14A commences;

‘**American Society of Mechanical Engineers 8 Standards**’ means the document of that title:

- (a) published by the American Society of Mechanical Engineers; and
- (b) in force on the day on which Part 2 of Schedule 14A commences;”.

**3. New regulations 13CE and 13CF****3.1 After regulation 13CD, insert:****Exportation of certain goods to Angola**

“13CE. (1) The exportation of petroleum the immediate or final destination of which is, or is intended to be, Angola is prohibited unless the written permission of an authorised person is produced to a Collector at or before the time of exportation.

“(2) The exportation of a petroleum product the immediate or final destination of which is, or is intended to be, Angola is prohibited unless the written permission of an authorised person is produced to a Collector at or before the time of exportation.

“(3) When deciding whether to give permission under subregulation (1) or (2), the authorised person must take into account:

- (a) the port in Angola at which the petroleum or petroleum product is to be unloaded; and
- (b) Australia’s relations with other countries; and
- (c) Australia’s obligations under international law.

“(4) A permission may be expressed to be subject to conditions, including:

- (a) the quantity of the petroleum or petroleum product that may be exported; and
- (b) the circumstances in which the petroleum or petroleum product may be exported; and
- (c) the period of effect of the permission.

“(5) In this regulation:

**‘authorised person’** means:

- (a) the Minister for Foreign Affairs; or
- (b) an officer of the Department of Foreign Affairs and Trade authorised in writing by the Minister for Foreign Affairs for the purposes of this regulation;

**‘petroleum’** means:

- (a) a naturally occurring hydrocarbon in a gaseous, liquid or solid state; or
- (b) a naturally occurring mixture of hydrocarbons in a gaseous, liquid or solid state; or
- (c) a naturally occurring mixture of a hydrocarbon, or hydrocarbons, in a gaseous, liquid or solid state, and one or more of the following:
  - (i) hydrogen sulphate;
  - (ii) nitrogen;
  - (iii) helium;
  - (iv) carbon dioxide;

**‘petroleum product’ means:**

- (a) a hydrocarbon, or mixture of hydrocarbons, produced:
  - (i) by subjecting petroleum to a process of refining;  
or
  - (ii) from a naturally occurring mineral from which any hydrocarbon, whether in the gaseous, liquid or solid state, may be produced; or
- (b) a mixture of a hydrocarbon or hydrocarbons so produced with one or more other substances;

### **Exportation of certain goods to Haiti**

“13CF. (1) The exportation of goods the immediate or final destination of which is, or is intended to be, Haiti is prohibited unless the written permission of an authorised person is produced to a Collector at or before the time of exportation.

“(2) When deciding whether to give permission under subregulation (1), the authorised person must take into account:

- (a) Australia’s relations with other countries; and
- (b) Australia’s obligations under international law.

“(3) A permission may be expressed to be subject to conditions, including:

- (a) the quantity of the goods that may be exported; and
- (b) the circumstances in which the goods may be exported;  
and
- (c) the period of effect of the permission.

“(4) In this regulation:

**‘authorised person’ means:**

- (a) the Minister for Foreign Affairs; or
- (b) an officer of the Department of Foreign Affairs and Trade authorised in writing by the Minister for Foreign Affairs for the purposes of this regulation.”.

## **4. Regulation 13H (Certain applications to be referred)**

4.1 Paragraphs 13H (1) (a), (3) (a) and (4) (b):

After “13CD (1),”, insert “13CE (1) or (2), 13CF (1),”.

## 4.2 Add at the end:

“(5) Subregulation (1) does not apply to an authorised person who is a relevant Minister.”.

**5. Schedule 14A (Goods the exportation of which to Libya is prohibited)****5.1 Omit the Schedule, substitute:****SCHEDULE 14A Subregulation 13CB (1)****GOODS THE EXPORTATION OF WHICH TO LIBYA IS PROHIBITED****PART 1  
GENERAL GOODS**

Column 1 Item No.	Column 2 Goods
1	Batons, clubs, riot sticks and similar devices of a kind used for law enforcement purposes
2	Body armour, including: (a) bullet-resistant apparel; and (b) bullet-resistant pads; and (c) protective helmets
3	Handcuffs, leg irons and other devices used for restraining prisoners
4	Riot protection shields
5	Whips
6	Parts and accessories designed or adapted for use in or with goods specified in any of items 1 to 5
7	Aircraft and aircraft components to which regulation 13B does not apply

**SCHEDULE 14A—continued****PART 2****GOODS RELATED TO CRUDE OIL REFINING AND  
EXPORTATION**

<b>Column 1 Item No.</b>	<b>Column 2 Goods</b>
1	Pumps with a capacity of at least 350 cubic metres per hour
2	Gas turbines
3	Electric motors
4	Loading buoys
5	Single point moorings
6	Flexible hoses that have a diameter of the metric equivalent of 12 to 16 inches (inclusive)
7	Floating hoses that have a diameter of the metric equivalent of 12 to 16 inches (inclusive)
8	Loading pumps that: (a) have a capacity of at least 4,000 cubic metres per hour; and (b) have a head of a size no larger than 10 bars
9	Boosting pumps that: (a) have a capacity of at least 4,000 cubic metres per hour; and (b) have a head of a size no larger than 10 bars
10	Inline pipe line inspection tools that may be used in relation to pipes with a diameter of at least the metric equivalent of 16 inches
11	Inline pipe line cleaning devices that may be used in relation to pipes with a diameter of at least the metric equivalent of 16 inches

**SCHEDULE 14A—continued**

- 12      Metering equipment that has a capacity of at least 1,000 cubic metres per hour
  - 13      Boilers complying with the requirements of the American Society of Mechanical Engineers 1 Standards
  - 13      Furnaces complying with the requirements of the American Society of Mechanical Engineers 8 Standards
  - 14      Fractionation columns complying with the requirements of the American Society of Mechanical Engineers 8 Standards
  - 15      Pumps complying with the requirements of the American Petroleum Institute 610 Standards
  - 16      Catalytic reactors complying with the requirements of the American Society of Mechanical Engineers 8 Standards
  - 17      Prepared catalysts
  - 18      Goods that are likely to be used for the manufacture or maintenance of the goods specified in any of items 1 to 17
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## SCHEDULE 14A—continued

## PART 3

## GOODS RELATED TO LIBYAN AIRFIELDS

Column 1 Item No.	Column 2 Specified goods
1	Runway and apron sweepers
2	Runway paint trucks
3	Water trucks
4	High pressure water jet systems
5	Lighting systems, including: <ul style="list-style-type: none"> <li>(a) primary and secondary electrical cabling; and</li> <li>(b) obstacle lights; and</li> <li>(c) approach lights; and</li> <li>(d) runway and taxiway elevated lights; and</li> <li>(e) runway and taxiway inset lights; and</li> <li>(f) visual aids landing systems; and</li> <li>(g) taxiway movement guidance signs; and</li> <li>(h) illuminated wind indicators; and</li> <li>(i) battery operated portable aviation ground lights</li> </ul>
6	Apron flood lighting systems
7	Nose-in guidance systems



**SCHEDULE 14A—continued**

- 8 Ground support services, including:
  - (a) equipment that may be used to supply electrical power; and
  - (b) water and toilet service trucks; and
  - (c) fuel tankers; and
  - (d) ground fuelling equipment; and
  - (e) catering service trucks; and
  - (f) cargo and baggage handling equipment; and
  - (g) mobile stairs; and
  - (h) mobile platforms; and
  - (i) self propelled conveyor belt units; and
  - (j) scissor lift loaders; and
  - (k) aircraft towing tractors; and
  - (l) aircraft waste disposal trucks
- 9 Closed circuit security surveillance equipment
- 10 Automatic doors
- 11 Moving walkways
- 12 Lifts and escalators
- 13 Aerobridges
- 14 Check-in counters
- 15 Flight display information systems
- 16 X-ray units
- 17 Metal detectors
- 18 Heating, ventilation and air-conditioning systems
- 19 Public announcement systems
- 20 Mobile power generators
- 21 Security fences, gates and signs

## NOTES

1. Notified in the *Commonwealth of Australia Gazette* on L 1994.
2. Statutory Rules 1958 No. 5 as amended by 1959 No. 5; 1961 Nos. 16 and 112; 1963 Nos. 129 and 130; 1964 No. 144; 1965 No. 136; 1966 Nos. 70 and 75; 1967 Nos. 42, 59 and 123; 1968 Nos. 46, 83, 101, 153, 160 and 162; 1969 Nos. 11, 21, 22 and 219; 1970 Nos. 34, 68, 89, 106 and 121; 1972 No. 210; 1973 Nos. 4, 7, 39, 74, 102, 138, 218 and 248; 1974 Nos. 46, 157, 178 and 250; 1975 Nos. 19, 44, 45, 173 and 224; 1976 Nos. 169 and 233; 1977 No. 89; 1978 Nos. 14, 58, 59 and 277; 1979 Nos. 160 and 237; 1980 Nos. 21, 61, 72, 76, 82, 99, 110, 212, 273, 358, 381 and 383; 1981 Nos. 49, 72, 86, 149, 225, 251 and 324; 1982 Nos. 169, 171 and 310; 1983 No. 272; 1984 Nos. 35, 63, 191, 262, 263 and 316; 1985 Nos. 1, 68, 138 and 378; 1986 Nos. 76, 89, 177, 178, 328, 364, 365, 366 and 388; 1987 Nos. 97, 115, 156, 176, 301, 317, 318 and 319; 1988 Nos. 65, 178, 195 and 361; 1989 Nos. 57, 59, 196, 264 and 388; 1990 Nos. 125, 146, 190, 264, 333 and 438; 1991 Nos. 24, 77, 118, 288 and 413; 1992 Nos. 61, 83, 103, 155, 412 and 414; 1993 Nos. 68, 212, 258 and 322.

8 June

5/1/94 ; 1994 Nos. 32 and 43