

EXPLANATORY STATEMENT

CUSTOMS ACT 1901

CUSTOMS (PROHIBITED IMPORTS) REGULATIONS (AMENDMENT)

ISSUED BY THE AUTHORITY OF THE MINISTER OF STATE FOR SCIENCE
AND SMALL BUSINESS

1987 No. 320

On 14 August 1987, the Minister for Primary Industries and Energy announced a joint Commonwealth-State plan aimed at eliminating the contamination of Australian meat by pesticides, a problem which has the capacity to effect the export market for Australian meat. Part of the plan proposed to place import controls on organochlorine chemicals, including DDT, that may be used as pesticide. This amendment to the Customs (Prohibited Imports) Regulations puts this part of the plan into effect.

The regulations provide as follows:

Regulation 1 adds to regulation 2 of the Customs (Prohibited Imports) Regulations ("the regulations") a definition for the term "IUPAC name", employed in the proposed new Schedule 9 to the regulations.

Regulation 2 adds a new regulation 5I to the regulations, which provides that the organochlorine chemicals listed in the new Schedule 9 to the Regulations may not be imported into Australia without the approval of the Minister for Primary Industries and Energy, or an officer of the Department of Primary Industries and Energy authorised to grant permissions pursuant to this regulation.

. It should be noted that authorised officers may not refuse an application to import organochlorine chemicals; only the Minister may exercise this responsibility. This discharges an undertaking given to the Senate Standing Committee on Regulations and Ordinances that public servants would not be vested with the unreviewable discretion to refuse an application to import or export goods under controls.

Regulation 3 adds a new Schedule 9 to the regulations which lists 11 organochlorine chemicals that are to be subject to import controls, pursuant to the new regulation 5I (discussed above).

(S.R. 371/87)