



2000B00077

TRIPLICATION

Administering Department

copy with documents sent to Federal Executive Council Secretariat in connection with the making of this legislation.

ExCo Secretariat: Please complete this copy inserting signatures, date of making and instrument No. and send to:

Legislative Services Unit
Office of Legislative Drafting
Attorney-General's Department



Customs Amendment Regulations 2000 (No. 2)

Statutory Rules 2000 No. 2

74

I, WILLIAM PATRICK DEANE, 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 25 MAY 2000 2000

WILLIAM DEANE

Governor-General

By His Excellency's Command

AMANDA VANSTONE
Minister for Justice and Customs



Customs Amendment Regulations 2000 (No. 2)¹

Statutory Rules 2000 No. 2²

74

made under the

Customs Act 1901

Contents

	Page
1 Name of Regulations	2
2 Commencement	2
3 Amendment of <i>Customs Regulations 1926</i>	2
Schedule 1 Amendments	3

2000, 2

Customs Amendment Regulations 2000 (No. 2)

1

74 2

Regulation 1

1 Name of Regulations

These Regulations are the *Customs Amendment Regulations 2000 (No. 2)*.

2

2 Commencement

These Regulations commence on the commencement of the items of Schedule 2 to the *Customs Legislation Amendment (Criminal Sanctions and Other Measures) Act 2000*.

3 Amendment of *Customs Regulations 1926*

Schedule 1 amends the *Customs Regulations 1926*.

2

Customs Amendment Regulations 2000 (No. 2)

2000, 2

2 74

Schedule 1 Amendments

(regulation 3)

[1] After regulation 176

insert

176A Disposal of certain abandoned goods — prescribed period

For subsection 218A (2) of the Act, a period of 90 days is prescribed.

176B Storage of records of an external search

- (1) For subsection 219RAF (7) of the Act, this regulation applies to the records of an external search of a detainee under section 219R of the Act.
- (2) The records must be securely stored.
- (3) A person responsible for the custody of the records must make and keep, manually or by electronic means, a register of the details of any movement or removal of the records or any part of the records.
- (4) The details mentioned in subregulation (3) must include:
 - (a) the name of the agency, and of the person, moving or removing the records or any part of the records; and
 - (b) the reason for the movement or removal; and
 - (c) the date of the movement or removal and, if the records or part of the records are removed, the date (if any) of return; and
 - (d) the date of destruction of the records.

(5) In this regulation:

records, of an external search of a detainee, means:

- (a) any videotape or other electronic record of the external search; and
- (b) any photograph, image or sample mentioned in paragraph 219RAF (1) (b), (c) or (d) of the Act, relating to the detainee.

[2] After regulation 179

insert

179AA Tier 1 and Tier 2 goods (Act s 233BAA, s 233BAB)

- (1) For subsection 233BAA (1) of the Act, the goods specified in column 2 of an item in Part 1 of Schedule 1AA constitute tier 1 goods.
- (2) For subsection 233BAA (3) of the Act, the quantity (if any) specified in column 3 of an item in Part 1 of Schedule 1AA is the critical quantity of the drug specified in column 2 of that item.
- (3) For subsection 233BAB (1) of the Act, the goods specified in column 2 of an item in Part 2 of Schedule 1AA constitute tier 2 goods.

[3] After Schedule 1A*insert***Schedule 1AA Tier 1 and Tier 2 Goods**

(regulation 179AA)

Part 1 Tier 1 Goods

Column 1 Item	Column 2 Goods	Column 3 Critical Quantity	Column 4 Corresponding Schedule and Item number in the <i>Customs (Prohibited Imports) Regulations 1956</i>	Column 5 Corresponding Schedule, Part and Item number in the <i>Customs (Prohibited Exports) Regulations 1958</i>
1	N-acetylanthranilic acid		Schedule 4, item 2A	Schedule 8, Part 3, item 27E
2	Anabolic or androgenic substances	20g	Schedule 8, item 3C	
3	Ephedrine	25g	Schedule 4, item 76	Schedule 8, Part 3, item 7
4	Ergometrine	0.006g	Schedule 4, item 77	Schedule 8, Part 3, item 8
5	Ergotamine	0.5g	Schedule 4, item 79	Schedule 8, Part 3, item 9
6	Erythropoietin		Schedule 7A, item 1	
7	Gammabutyrolactone		Schedule 4, item 98A	Schedule 8, Part 3, item 12A
8	Isosafrole		Schedule 4, item 112A	Schedule 8, Part 3, item 27B
9	Methcathinone	2g	Schedule 4, item 138A	Schedule 8, Part 2, item 23A
10	3,4-methylenedioxyphenyl-2-propanone		Schedule 4, item 146A	Schedule 8, Part 3, item 27D

Column 1 Item	Column 2 Goods	Column 3 Critical Quantity	Column 4 Corresponding Schedule and Item number in the <i>Customs (Prohibited Imports) Regulations 1956</i>	Column 5 Corresponding Schedule, Part and Item number in the <i>Customs (Prohibited Exports) Regulations 1958</i>
11	Natural and manufactured gonadotrophins, including menotrophins, Follicle Stimulating Hormone, Luteinising Hormone and Human Chorionic Gonadotrophin		Schedule 7A, item 2	
12	Natural and manufactured growth hormones, including somatropin, somatrem, somatomedins and insulin-like growth factors (not insulins) and growth hormone releasing hormones (somatorelin and synthetic analogues)		Schedule 7A, item 3	
13	Phenylacetic acid		Schedule 4, item 195A	Schedule 8, Part 3, item 21A
14	Phenylpropanolamine	14g	Schedule 4, item 196A	Schedule 8, Part 3, item 21B
15	Phenyl-2-propanone		Schedule 4, item 197	Schedule 8, Part 3, item 22
16	Pipcronal		Schedule 4, item 201A	Schedule 8, Part 3, item 27C
17	Pseudoephedrine	25g	Schedule 4, item 212	Schedule 8, Part 3, item 25
18	Safrole		Schedule 4, item 218A	Schedule 8, Part 3, item 27A



Column 1 Item	Column 2 Goods	Column 3 Critical Quantity	Column 4 Corresponding Schedule and Item number in the <i>Customs (Prohibited Imports) Regulations 1956</i>	Column 5 Corresponding Schedule, Part and Item number in the <i>Customs (Prohibited Exports) Regulations 1958</i>
19	Salts and esters of a drug specified in item 3, 4, 5, 9, 14 or 17 that contain at least the critical quantity of the drug			
20	Salts and esters of a substance specified in item 1, 7, 8, 10, 13, 15, 16 or 18			

Part 2 Tier 2 Goods

Column 1 Item	Column 2 Goods
1	Goods specified in items 8, 9, 12, 13, 14, 18, 18A, 18B, 18C, 18D, 19, 19A, 20, 21, 22, 23 and 29A of Schedule 2 to the <i>Customs (Prohibited Imports) Regulations 1956</i> (certain munitions, military warfare items, weapons and protective apparel)
2	Goods specified in item 1 of Schedule 3 to the <i>Customs (Prohibited Imports) Regulations 1956</i> (anti-personnel sprays and chemicals for use in the manufacture of anti-personnel sprays)
3	Goods to which regulation 4A of the <i>Customs (Prohibited Imports) Regulations 1956</i> applies, being: <ul style="list-style-type: none"> (a) items of child pornography within the meaning given by subsection 233BAB (3) of the Act; or (b) items of child abuse material within the meaning given by subsection 233BAB (4) of the Act

Column 1	Column 2
Item	Goods
4	Firearms, firearm accessories, firearm parts, firearm magazines, ammunition and components of ammunition to which subregulation 4F (1) of the <i>Customs (Prohibited Imports) Regulations 1956</i> applies
5	Counterfeit credit, debit and charge cards to which regulation 4T of the <i>Customs (Prohibited Imports) Regulations 1956</i> applies
6	Prescribed goods within the meaning given by subregulation 5J (1) of the <i>Customs (Prohibited Imports) Regulations 1956</i> (goods containing certain chemical compounds)
7	Goods to which regulation 3 of the <i>Customs (Prohibited Exports) Regulations 1958</i> applies, being: <ul style="list-style-type: none"> (a) items of child pornography within the meaning given by subsection 233BAB (3) of the Act; or (b) items of child abuse material within the meaning given by subsection 233BAB (4) of the Act
8	Goods specified in item 1 of Schedule 6 to the <i>Customs (Prohibited Exports) Regulations 1958</i> (human body fluids, organs and other tissue)
9	Goods specified in Schedule 9 to the <i>Customs (Prohibited Exports) Regulations 1958</i> (fissionable or radioactive materials)
10	Counterfeit credit, debit and charge cards to which regulation 13D of the <i>Customs (Prohibited Exports) Regulations 1958</i> applies
11	Goods to which regulation 13E of the <i>Customs (Prohibited Exports) Regulations 1958</i> applies (defence and strategic goods)

Notes

1. These Regulations amend Statutory Rules 1926 No. 203, as amended by 1927 Nos. 17, 95 and 121; 1928 Nos. 47, 57, 74 and 95; 1929 Nos. 25, 56 and 127; 1930 Nos. 91, 138 and 140; 1931 Nos. 16, 42 and 90; 1932 No. 90; 1933 Nos. 21, 105, 106 and 129; 1934 Nos. 109 and 127; 1935 Nos. 1, 41, 69 and 113; 1936 Nos. 49 and 163; 1938 No. 111; 1939 No. 157; 1940 Nos. 203 and 256; 1946 Nos. 127 and 161; 1947 Nos. 29, 83, 94 and 152; 1948 No. 156; 1949 Nos. 34, 78, 95 and 111; 1950 No. 17; 1951 Nos. 34, 38, 71, 99, 106, 109 and 159; 1952 No. 96; 1953 No. 102; 1954 No. 21; 1955 Nos. 15, 32 and 66; 1956 Nos. 71, 83, 91 and 127; 1957 Nos. 57 and 76; 1958 No. 86; 1959 No. 106; 1960 Nos. 29 and 70; 1961 Nos. 60 and 144; 1962 Nos. 102 and 103; 1963 No. 149; 1964 No. 141; 1965 Nos. 86, 121 and 194; 1966 Nos. 15 and 173; 1967; Nos. 9 and 179; 1968 No. 68; 1969 Nos. 69, 77, 133, 152 and 186; 1970 Nos. 104, 113 and 170; 1971 Nos. 9, 59 and 170; 1972 No. 96; 1973 Nos. 155, 251, 257 and 268; 1974 Nos. 29 and 112; 1976 Nos. 261 and 262; 1977 Nos. 68, 137 and 188; 1978 Nos. 32, 147, 180 and 195; 1979 Nos. 181, 275 and 277; 1980 Nos. 109, 255, 372 and 377; 1981 Nos. 162, 265 and 382; 1982 Nos. 140, 255, 311, 335 and 404 and Act No. 108, 1982; Statutory Rules 1983 Nos. 92, 93, 327, 328, 329 and 330 and Act No. 101, 1983; Statutory Rules 1984 Nos. 13, 18, 137, 319 and 462; 1985 Nos. 12, 71, 76, 126, 306 and 308; 1986 Nos. 77, 91, 94, 144, 174, 175, 176, 215, 248, 361, 363, 367 and 368; 1987 Nos. 72, 102, 103, 124, 140, 162, 244, 297 and 316; 1988 Nos. 111, 179, 207, 260 and 270; 1989 Nos. 100, 101, 159, 160, 161, 162, 163, 243, 260 and 409; 1990 Nos. 6, 8, 123, 147, 148, 189, 217, 220, 222, 248, 274 and 450; 1991 Nos. 30, 109, 129, 139, 140, 228, 290, 316 and 384; 1992 Nos. 72, 175, 277 (as amended by 1992 No. 326), 328, 343, 344, 447 and 464; 1993 Nos. 66, 158 and 339; 1994 Nos. 53, 82, 183, 311, 312, 351, 366, 367, 391 and 435; 1995 Nos. 99, 136, 244, 313, 321, 352, 423 and 424; 1996 Nos. 42, 43, 134, 326 and 327; 1997 Nos. 52, 70, 79, 89, 128, 131, 255, 284, 378, 379 and 422; 1998 Nos. 38, 101, 212, 229, 276 and 278; 1999 Nos. 35, 131, 149, 270, 323 and 330; 2000 No. 13.
2. Made by the Governor-General on  2000, and notified in the *Commonwealth of Australia Gazette* on  2000.

25 May
26 May