



Customs Amendment Regulation 2012 (No. 1)¹

Select Legislative Instrument 2012 No. 49

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Customs Act 1901*.

Dated 19 April 2012

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

JASON CLARE
Minister for Home Affairs

1 Name of regulation

This regulation is the *Customs Amendment Regulation 2012 (No. 1)*.

2 Commencement

This regulation commences on the day after it is registered.

3 Amendment of *Customs Regulations 1926*

Schedule 1 amends the *Customs Regulations 1926*.

4 Transitional

Regulations 176AA and 176B of the *Customs Regulations 1926*, as in force immediately before this regulation commenced, continue to apply in relation to the records of an external search of a detainee made before this regulation commenced.

Schedule 1 Amendments

(section 3)

[1] Regulation 176AA

substitute

176AA Equipment for scans or searches

For subsections 219SA (1), 219ZAB (1) and (2) of the Act, the table describes the equipment for carrying out a scan or search.

| Item | Equipment |
|----------|---|
| 1 | <i>Equipment for internal non-medical scan</i> |
| 1.1 | Smiths Detection B-SCAN 16 HD-DV |

[2] Regulation 176B, heading

substitute

176B Storage of records of an external search or an internal non-medical scan

[3] Subregulation 176B (1)

substitute

- (1) For section 219ZAE of the Act, this regulation applies to the search record of an external search or an internal non-medical scan of a detainee under section 219R or 219SA of the Act.

[4] Subparagraph 176B (4) (c)

omit

records are

insert

search record is

[5] Subregulation 176B (5)

substitute

- (5) In this regulation:
- search record***, of an external search or an internal non-medical scan of a detainee, means:
- (a) a videotape or other electronic record of the external search of the detainee mentioned in paragraph 219ZAE (1) (a) of the Act ; and
 - (b) a photograph or image mentioned in paragraph 219ZAE (1) (b) or (c) of the Act, relating to the detainee; and
 - (c) a sample from the outer surface of the detainee's hand mentioned in paragraph 219ZAE (1) (d).

[6] Further amendments

| <i>Provision</i> | <i>omit</i> | <i>insert</i> |
|--|-------------|---------------|
| Subregulations 176B (2), (3) and paragraphs (4) (a), (c) and (d) | records | search record |

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.comlaw.gov.au.