



Customs (Australian Trusted Trader Programme) Rule 2015

made under section 179 of the

Customs Act 1901

Compilation No. 2

Compilation date: 1 July 2021

Includes amendments up to: F2021L00775

Prepared by Department of Home Affairs

About this compilation

This compilation

This is a compilation of the *Customs (Australian Trusted Trader Programme) Rule 2015* that shows the text of the law as amended and in force on 01/07/2021 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

| | |
|---|----|
| Part 1 – Preliminary | 1 |
| 1 Name | 1 |
| 3 Authority | 1 |
| 4 Definitions | 1 |
| 5 Definition of <i>international supply chain</i> | 1 |
| Part 2—Qualification criteria | 3 |
| 6 Qualification criteria | 3 |
| 7 Status and experience of entity | 3 |
| 8 Financial criterion | 3 |
| 9 Operating systems capability | 3 |
| 10 Communication and information quality | 4 |
| 11 International supply chain security | 4 |
| 12 Compliance with Customs-related laws | 6 |
| 13 Entity’s responsibilities in relation to other persons | 6 |
| Part 3—Trusted trader agreements | 8 |
| 14 Entering into a trusted trader agreement | 8 |
| Part 4—Trade facilitation benefits | 10 |
| 17 Trusted trader benefits | 10 |
| Part 5A—Variation of obligations | 11 |
| 17A Obligations under Part IV of the Act | 11 |
| Part 5—Conditions | 12 |
| 18 Conditions for participation in the Australian Trusted Trader Programme | 12 |
| 19 Other conditions for trusted trader agreements | 13 |
| Part 6—Variation, termination or suspension of trusted trader agreements | 15 |
| 20 Application of this Part | 15 |
| 21 Variation or termination | 15 |
| 22 Immediate suspension | 16 |
| Part 7—Information for Register of Trusted Trader Agreements | 19 |
| 23 Information for publication on the Register of Trusted Trader Agreements | 19 |
| Endnotes | 20 |
| Endnote 1—About the endnotes | 20 |
| Endnote 2—Abbreviation key | 21 |
| Endnote 3—Legislation history | 22 |
| Endnote 4—Amendment history | 23 |

Part 1 – Preliminary

1 Name

This is the *Customs (Australian Trusted Trader Programme) Rule 2015*.

3 Authority

This instrument is made under section 179 of the *Customs Act 1901*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) Container;
- (b) Customs-related law;
- (c) trusted trader agreement;
- (d) unmanufactured raw products.

In this instrument:

ABN has the meaning given by section 41 of the *A New Tax System (Australian Business Number) Act 1999*.

Act means the *Customs Act 1901*.

Immigration and Border Protection worker has the meaning given by the *Australian Border Force Act 2015*.

international supply chain, in relation to an entity—see section 5.

risk, in relation to an entity's international supply chain, includes, but is not limited to, the following:

- (a) a risk of contraventions of Customs-related laws arising from any or all of the activities forming part of the international supply chain;
- (b) a risk to the security of goods arising from any activity forming part of the international supply chain;
- (c) a risk to the security of goods arising from the nature of the goods.

5 Definition of *international supply chain*

General definition

- (1) An entity's **international supply chain** is any of the following activities undertaken by, or for the purposes of, the entity in relation to any goods that are imported into Australia or exported from Australia (whether by the entity or another person):
 - (a) activities that, at a particular time, start to be undertaken:

-
- (i) for an unmanufactured raw product—where the product first comes into existence in a form in which it is to be supplied; or
 - (ii) in any other case—where the first significant process in the manufacture or production of the goods is performed;
 - (b) any other activities in relation to the goods that are undertaken after that time until:
 - (i) for imported goods, unless subsection (2) applies—the goods are no longer subject to customs control; or
 - (ii) for imported goods, if subsection (2) applies—the goods are first received in Australia, as consignee, by that entity or another entity after the goods are no longer subject to customs control; or
 - (iii) for exported goods—the goods arrive at a place outside Australia.

First receipt of imported goods in Australia by a trusted trader

- (2) For subparagraph (1)(b)(ii), this subsection applies if:
 - (a) the goods are no longer subject to customs control; and
 - (b) whichever entity first receives the goods in Australia, as consignee, after the goods are no longer subject to customs control has:
 - (i) nominated itself under section 176B of the Act to participate in the Australian Trusted Trader Programme; or
 - (ii) entered into a trusted trader agreement that is in force.

Note: The entity mentioned in this paragraph may or may not be the entity first mentioned in subsection (1).

Part 2—Qualification criteria

6 Qualification criteria

- (1) For paragraph 179(1)(a) of the Act, this Part prescribes the qualification criteria in relation to which a trusted trader agreement may be entered into with an entity under section 176A of the Act.
- (2) The entity must satisfy the criteria in sections 9 to 11 to a standard that adequately addresses the relevant risks in relation to the entity's international supply chain.

7 Status and experience of entity

- (1) The entity is an **entity** within the meaning of the *A New Tax System (Goods and Services Tax) Act 1999*.
- (2) The entity has an ABN.
- (3) The entity has been undertaking an activity or activities (which need not have been the same activity or activities) that form part of an international supply chain for at least 2 years before the entity's nomination under section 176B of the Act.

8 Financial criterion

The entity is able to pay all its debts as and when they become due and payable.

9 Operating systems capability

- (1) The electronic or manual operating systems used by the entity are able to accurately record and generate information to enable an Immigration and Border Protection worker to do all of the following:
 - (a) assess the correctness of information in relation to the entity's international supply chain that is provided by the entity to the Commonwealth (whether the information is provided to the Comptroller-General of Customs, an Immigration and Border Protection worker, the Department or another agency);
 - (b) assess whether the entity is complying with Customs-related laws, this instrument and a trusted trader agreement entered into by the entity;
 - (c) identify the source of any information provided to the Commonwealth as referred to in paragraph (a);
 - (d) obtain an audit trail of transactions, and of the entity's international supply chain, that can be readily traced from the record or information.
- (2) The electronic or manual operating systems used by the entity clearly record all of the following:

-
- (a) financial transactions in relation to the entity's international supply chain;
 - (b) the identity of other persons undertaking activities that form part of the entity's international supply chain at any particular time;
 - (c) the identity of any person from which information recorded or reported is sourced.
- (3) The entity's records are in English or can be readily translated into English.
 - (4) The electronic or manual operating systems used by the entity are secured against misuse, loss and unauthorised access.

10 Communication and information quality

- (1) The entity takes measures to ensure the following:
 - (a) information in relation to the entity's international supply chain entered into, or provided from, the electronic or manual operating systems used by the entity is accurate;
 - (b) information provided by the entity to the Commonwealth (whether to the Comptroller-General of Customs, an Immigration and Border Protection worker, the Department or another agency) complies with any requirements under Customs-related laws, this instrument or a trusted trader agreement entered into by the entity.
- (2) The entity takes measures to secure the following communications against misuse, loss and unauthorised access:
 - (a) communications between the entity and persons doing anything for the purposes of, or incidental to, an activity that forms part of the entity's international supply chain;
 - (b) communications between the entity and the Commonwealth (whether the communication is to or from the Comptroller-General of Customs, an Immigration and Border Protection worker, the Department or another agency) in relation to the entity's international supply chain.
- (3) The entity complies with the measures mentioned in subsections (1) and (2).

11 International supply chain security

Security measures generally

- (1) The entity:
 - (a) has security risk assessments that identify risks specific to the entity's international supply chain; and
 - (b) takes measures to ensure that those risks are mitigated; and
 - (c) complies with those measures.
- (2) The entity satisfies each criterion set out in subsections (3) to (7), but only to the extent that the criterion is relevant to activities undertaken by the entity that form part of the entity's international supply chain.

Personnel security

- (3) The entity:
- (a) takes personnel security measures to ensure the following:
 - (i) screening of current and prospective employees and contractors engaged (or to be engaged) by the entity to identify any risk of such engagement for the entity's international supply chain;
 - (ii) relevant training for employees and contractors involved in compliance with Customs-related laws or the security of goods, including training in such compliance;
 - (iii) the denial of access for the entity's former employees and contractors to the entity's premises or systems, unless permitted by the entity; and
 - (b) complies with those measures.

Physical security at premises

- (4) The entity:
- (a) takes physical security measures at the entity's premises including, but not limited to, the following:
 - (i) measures to control access to the premises and to goods on the premises, with entry limited to authorised persons;
 - (ii) measures to secure goods against unlawful or unauthorised movement, alteration or interference during movement of the goods into or out of the premises, and while the goods are stored in those premises; and
 - (b) complies with those measures.

Transport security

- (5) The entity:
- (a) takes security measures in relation to the transportation of goods including, but not limited to, the following:
 - (i) measures to keep goods secure and prevent unlawful or unauthorised movement, alteration or interference during transportation;
 - (ii) measures to reconcile goods moved into or out of the entity's premises with commercial or other documentation in respect of the goods; and
 - (b) complies with those measures.

Container security

- (6) The entity:
- (a) takes security measures to ensure that containers are secure from unlawful or unauthorised alteration or interference including, but not limited to, the following:
 - (i) measures to ensure that the containers are secure before goods are packed and during transportation;

-
- (ii) measures to ensure that the containers are properly sealed to maintain security during transportation; and
 - (b) complies with those measures.

Security for goods

- (7) The entity:
 - (a) takes security measures for goods including, but not limited to, the following:
 - (i) measures to secure the goods against unlawful or unauthorised movement, alteration or interference;
 - (ii) measures to secure any goods that are subject to customs control against movement, alteration or interference except as permitted or authorised under a Customs-related law; and
 - (b) complies with those measures.

12 Compliance with Customs-related laws

- (1) The entity satisfactorily complies with Customs-related laws.
- (2) In considering whether the entity satisfactorily complies with Customs-related laws, the Comptroller-General of Customs must consider the following matters:
 - (a) any action taken by the entity to ensure compliance with Customs-related laws;
 - (b) the extent and frequency of the activities that form part of the entity's international supply chain;
 - (c) the extent and degree of any non-compliance with Customs-related laws;
 - (d) any disclosure by the entity to the Commonwealth (whether to the Department or another agency) of any non-compliance with Customs-related laws in the course of the entity's international supply chain;
 - (e) if there has been non-compliance with those laws in the course of the entity's international supply chain:
 - (i) whether that non-compliance was for reasons beyond the control of the entity; and
 - (ii) any action taken by the entity to ensure future compliance or to prevent any non-compliance with those laws;
 - (f) the effectiveness of any action referred to in subparagraph (e)(ii).

13 Entity's responsibilities in relation to other persons

The entity:

- (a) takes reasonable measures to ensure that all persons doing anything for the purposes of, or incidental to, an activity that forms part of the entity's international supply chain, in doing such a thing:

-
- (i) satisfy the criteria set out in sections 9 to 11 to a standard that adequately addresses the relevant risks to the entity's international supply chain; and
 - (ii) comply with Customs-related laws; and
 - (b) complies with those measures.

Part 3—Trusted trader agreements

14 Entering into a trusted trader agreement

- (1) For paragraph 179(1)(b) of the Act, this section prescribes the matters that the Comptroller-General of Customs must consider when deciding whether to enter into a trusted trader agreement with an entity nominated under section 176B of the Act.

Risks of entering into agreement with entity

- (2) The Comptroller-General of Customs must consider the risks associated with entering into a trusted trader agreement with the entity, including any risks to the following:
 - (a) the Commonwealth;
 - (b) the security of the entity's international supply chain;
 - (c) the objectives or the administration of the Australian Trusted Trader Programme.
- (3) If the entity has had a trusted trader agreement terminated under section 178A of the Act in the 3 years before the entity's current nomination under section 176B of the Act, the Comptroller-General of Customs must consider the reasons for the termination.

Compliance with Customs-related laws

- (4) The Comptroller-General of Customs must:
 - (a) consider whether the entity has satisfactorily complied with Customs-related laws at all times from the time that is 2 years before the entity's nomination under section 176B of the Act; and
 - (b) in so doing, consider the matters mentioned in subsection 12(2) in relation to such compliance.

Offence history

- (5) If a person covered by subsection (6) has been, in the previous 10 years, convicted of an offence against a Customs-related law, or against another law of the Commonwealth, or a law of a State or Territory, the Comptroller-General of Customs must consider whether there may be a risk to the following arising from the actions for which the person was convicted:
 - (a) the entity's international supply chain;
 - (b) the ability of a person having a role in relation to the management or control of the entity's international supply chain to effectively undertake that role.
- (6) The following persons are covered by this subsection:
 - (a) the entity;

-
- (b) if the entity is a body corporate—each director;
 - (c) if the entity is a partnership—each partner;
 - (d) if the entity is a trust, or a trustee of a trust—each trustee of the trust;
 - (e) a person employed or contracted by the entity (or by a contractor of the entity) to undertake an activity that forms part of the entity's international supply chain, if the Comptroller-General of Customs considers that the person ought to be covered by this subsection in consideration of the risks to which subsection (2) applies.

Financial management

- (7) The Comptroller-General of Customs must consider the risks associated with any person involved in the management or control of the entity who has been:
 - (a) insolvent; or
 - (b) involved in the management or control of an entity that was at any time insolvent.

Part 4—Trade facilitation benefits

17 Trusted trader benefits

- (1) For paragraph 179(1)(e) of the Act, this section prescribes the kind of benefits that may be received by an entity under a trusted trader agreement.

Note: The agreement may require the entity to comply with specified conditions relating to the benefits the entity receives (see subsection 19(4)).

Direct contact officer

- (1A) The entity may receive direct contact with an Immigration and Border Protection worker, who may provide:
- (a) liaison assistance with relevant Commonwealth agencies:
 - (i) to resolve an issue the entity has in relation to the entity's international supply chain; or
 - (ii) to facilitate technical support in relation to an issue with Commonwealth systems the entity uses in relation to the entity's international supply chain; and
 - (b) information in relation to compliance with Customs-related laws in the entity's international supply chain.

Priority processing

- (1B) The entity may receive priority processing for the following:
- (a) a request for an advance ruling in relation to the tariff, valuation, or origin of imported goods, or any request for review by the Department of an advance ruling;
 - (b) a claim for a drawback of duty made in accordance with the condition in item 3 or 4 of the table in section 37 of the *Customs (International Obligations) Regulation*;
 - (c) an application for a refund, rebate or remission of duty made in accordance with section 107 of the *Customs Regulation 2015* or section 26 of the *Customs (International Obligations) Regulation 2015*.

Australian Trusted Trader logo and name

- (2) The entity may be entitled to use:
- (a) a logo, known as the Australian Trusted Trader logo; and
 - (b) the name "Australian Trusted Trader".

Priority examination

- (3) The entity may receive priority examination of its goods while the goods are subject to customs control.

Part 5A—Variation of obligations

17A Obligations under Part IV of the Act

- (1) For subparagraph 179(1)(d)(ii) of the Act, this section prescribes the kind of obligations under Part IV of the Act that an entity may satisfy in a way other than required under Part IV of the Act.
- (2) The obligation to pay import declaration processing charge under Part IV of the Act may be satisfied in a way other than required under Part IV of the Act.

Part 5—Conditions

18 Conditions for participation in the Australian Trusted Trader Programme

- (1) For paragraph 179(1)(c) of the Act, an entity that has entered into a trusted trader agreement participates in the Australian Trusted Trader Programme subject to the conditions prescribed by this section.

Qualification criteria and standards

- (2) The entity must:
- (a) continue to satisfy the qualification criteria; and
 - (b) satisfy the qualification criteria to the standard (if any) specified in the agreement.

Assistance to enable compliance assessment

- (3) The entity must ensure that all practicable assistance is given to Immigration and Border Protection workers to enable such workers to undertake assessments of whether the entity is continuing to comply with the qualification criteria and the agreement.

Note: The agreement may require such assessments to be undertaken in circumstances, and in the manner, provided by the agreement.

Offence history

- (4) A person covered by subsection (5) must not be convicted of an offence against a Customs-related law, or against another law of the Commonwealth, or a law of a State or Territory, for actions that may present a risk to the following:
- (a) the entity's international supply chain;
 - (b) the ability of a person having a function in relation to the management or control of the entity's international supply chain to effectively perform that function.
- (5) The following persons are covered by this subsection:
- (a) the entity;
 - (b) if the entity is a body corporate—each director;
 - (c) if the entity is a partnership—each partner;
 - (d) if the entity is a trust, or a trustee of a trust—each trustee of the trust;
 - (e) each person employed or contracted by the entity (or by a contractor of the entity) to undertake an activity that forms part of the entity's international supply chain.

Notification requirements

- (6) The entity must, in accordance with the agreement:
- (a) from time to time, nominate a person as the entity's primary contact person; and

-
- (b) notify the Department of the contact details of the person currently nominated as the entity's primary contact person.
 - (7) The entity must, in accordance with the agreement, notify the Department as soon as practicable after becoming aware of any of the following:
 - (a) any change to the circumstances on the basis of which the agreement is entered into;
 - (b) any matters that may affect compliance by any person undertaking activities for the purposes of, or incidental to, the entity's international supply chain with a Customs-related law, this instrument or the agreement;
 - (c) any non-compliance by such a person with a Customs-related law, this instrument or the agreement;
 - (d) a conviction for an offence in relation to which subsection (4) applies.

False or misleading information

- (8) The entity must not provide information to the Commonwealth (whether to the Comptroller-General of Customs, an Immigration and Border Protection worker, the Department or another agency) that is false or misleading in a material particular in relation to:
 - (a) the entity's entry into the trusted trader agreement; or
 - (b) compliance with these conditions, or any other conditions to which the agreement is subject.

19 Other conditions for trusted trader agreements

- (1) For paragraph 179(1)(g) of the Act, this section prescribes other conditions to which an entity's trusted trader agreement may be subject.

Self-assessment

- (2) The agreement may be subject to the condition that the entity must, in the circumstances, and in the manner, provided by the agreement, give the Comptroller-General of Customs self-assessment reports about the entity's continuing compliance with the qualification criteria and the agreement.

Conditions relating to assessments

- (3) The agreement may be subject to the condition that assessments for the purposes of the condition in subsection 18(3) are to be undertaken in circumstances, and in the manner, provided by the agreement.

Conditions relating to benefits

- (4) The agreement may be subject to the condition that the entity must comply with any conditions specified in the agreement relating to the benefits the entity receives in accordance with section 17.

Use and disclosure of trusted trader information

- (5) The agreement may be subject to the condition that the entity may make a record of, disclose or otherwise use information, of a kind specified in the agreement, that relates to the agreement and the administration of the Australian Trusted Trader Programme only:
- (a) if authorised by the agreement; and
 - (b) in the circumstances, and in the manner, provided by the agreement.

Changes to the agreement by mutual consent

- (6) The agreement may be subject to the condition that it may, by mutual consent, and in the circumstances, and in the manner, provided by the agreement, be:
- (a) varied, or suspended, with the effect agreed between the entity and the Comptroller-General of Customs; or
 - (b) terminated.

Part 6—Variation, termination or suspension of trusted trader agreements

20 Application of this Part

This Part prescribes:

- (a) for paragraph 179(1)(h) of the Act—the procedures that the Comptroller-General of Customs must follow when varying, suspending or terminating a trusted trader agreement under section 178A of the Act; and
- (b) for paragraph 179(1)(i) of the Act—the matters that the Comptroller-General of Customs must consider when deciding whether to vary, suspend or terminate a trusted trader agreement under section 178A of the Act.

Note: Subsection 178A(1) of the Act provides that the Comptroller-General of Customs may vary, suspend or terminate a trusted trader agreement if the Comptroller-General of Customs reasonably believes that the entity to which the agreement relates has not complied, or is not complying, with any condition prescribed by the rules or any term or condition specified in the agreement.

21 Variation or termination

Application of this section

- (1) This section applies if the Comptroller-General of Customs proposes to make a decision to vary or terminate an entity's trusted trader agreement under subsection 178A(1) of the Act because the Comptroller-General reasonably believes that the entity has not complied, or is not complying, with:

- (a) a condition prescribed by this instrument; or
- (b) any term or condition specified in the agreement.

Note: The Comptroller-General of Customs may also suspend the agreement, with immediate effect, under section 22 of this instrument.

Show cause notice required

- (2) Before making the decision, the Comptroller-General of Customs must give the entity a written notice (a **show cause notice**) that:
 - (a) states that the Comptroller-General of Customs proposes to vary or terminate the entity's trusted trader agreement under subsection 178A(1) of the Act; and
 - (b) states the reasons for the proposed decision; and
 - (c) invites the entity to respond in writing within 10 business days, or a longer period stated in the notice, to show cause why the agreement should not be varied or terminated as proposed; and
 - (d) includes a summary of the effect of section 178A of the Act and of this section.

Matters to be considered when making decision

- (3) In deciding whether to vary or terminate the agreement after the show cause notice has been given, the Comptroller-General of Customs must consider matters including (but not limited to) the following:
- (a) any response by the entity to the show cause notice received within the period stated in the notice;
 - (b) the extent and degree of the non-compliance referred to in subsection (1);
 - (c) any disclosure by the entity to the Department of that non-compliance;
 - (d) whether that non-compliance was for reasons beyond the entity's control;
 - (e) any action taken, or proposed to be taken, by the entity to prevent or remedy that non-compliance;
 - (f) any action taken, or proposed to be taken, by the entity to prevent further non-compliance of a similar nature.

Notice of decision

- (4) Within the applicable period under subsection (5), the Comptroller-General of Customs must give the entity:
- (a) written notice of a decision to vary or terminate the agreement, and the reasons for the decision; or
 - (b) written notice of a decision not to vary or terminate the agreement.

Note: A decision to vary or terminate a trusted trader agreement is reviewable by the Administrative Appeals Tribunal (see paragraph 273GA(1)(je) of the Act). The notice under paragraph (a) must include information about review of the decision by the Administrative Appeals Tribunal (see section 273K of the Act).

- (5) For subsection (4), the applicable period is:
- (a) if the entity responds to the show cause notice within the period specified under paragraph (2)(c):
 - (i) 30 calendar days after the response is received by the Comptroller-General; or
 - (ii) another period after the response is received that is agreed between the Comptroller-General and the entity; or
 - (b) in any other case:
 - (i) 30 calendar days after the end of the period specified in the show cause notice under paragraph (2)(c); or
 - (ii) another period after the end of that specified period that is agreed between the Comptroller-General and the entity.

22 Immediate suspension

Application of this section

- (1) This section applies if the Comptroller-General of Customs proposes to make a decision to suspend, with immediate effect, an entity's trusted trader agreement

under subsection 178A(1) of the Act because the Comptroller-General reasonably believes that the entity has not complied, or is not complying, with:

- (a) a condition prescribed by this instrument; or
- (b) any term or condition specified in the agreement.

Criterion for immediate suspension

- (2) In deciding whether to suspend the agreement with immediate effect, the Comptroller-General of Customs must consider whether the entity's non-compliance referred to in subsection (1) presents an immediate serious risk to any of the following:
 - (a) the Commonwealth;
 - (b) the security of the entity's international supply chain;
 - (c) the objectives or the administration of the Australian Trusted Trader Programme.

Notice of immediate suspension

- (3) If the Comptroller-General of Customs makes a decision to suspend the agreement with immediate effect, the Comptroller-General of Customs must give the entity a written notice of the decision that:
 - (a) states that the agreement is suspended with immediate effect; and
 - (b) states the reasons for the suspension; and
 - (c) states the period of the suspension, and the effect of subsections (5) and (6); and
 - (d) includes a summary of the effect of section 178A of the Act and of this section.

Note: A decision to suspend a trusted trader agreement is reviewable by the Administrative Appeals Tribunal (see paragraph 273GA(1)(je) of the Act). The notice under this subsection must also include information about review by the Administrative Appeals Tribunal of the decision to suspend the agreement (see section 273K of the Act).

- (4) The notice may be accompanied by a show cause notice under subsection 21(2).

Period and effect of immediate suspension

- (5) During the period of suspension:
 - (a) the agreement remains in force, and the entity must continue to comply with any requirements or conditions in relation to the agreement under the Act, this instrument or the agreement; but
 - (b) the benefits received by the entity in accordance with the agreement are not in effect.
- (6) The agreement is suspended for the period beginning on the day the decision to suspend the agreement is made, and ending on the earliest of the following days:
 - (a) the day after the end of the period stated in the notice under paragraph (3)(c);

-
- (b) if, before the end of that period, the Comptroller-General of Customs decides:
- (i) to vary or terminate the agreement in accordance with section 21, or not to do so—the day that decision is made; or
 - (ii) to end the period of suspension—the day that decision is made.
- (7) If the Comptroller-General of Customs decides to end the period of suspension of the agreement before the end of the period stated in the notice under paragraph (3)(c), the Comptroller-General of Customs must give the entity written notice of that decision.

Part 7—Information for Register of Trusted Trader Agreements

23 Information for publication on the Register of Trusted Trader Agreements

For paragraph 179(1)(j) of the Act, the following kinds of information may be published on the Register of Trusted Trader Agreements for each trusted trader agreement entered into with an entity:

- (a) in relation to the entity:
 - (i) the entity's business name, and if different, the entity's trading name; and
 - (ii) if the entity is an individual—the individual's name; and
 - (iii) the entity's ABN;
- (b) in relation to the agreement:
 - (ii) the kinds of benefits the entity is receiving, or will receive, under the agreement; and
 - (iii) whether the agreement is in force; and
 - (iv) whether the agreement is currently suspended and, if so, the day the suspension started; and
 - (v) whether the agreement has been terminated and, if so, the day of the termination.

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

| | |
|--|--|
| ad = added or inserted | o = order(s) |
| am = amended | Ord = Ordinance |
| amdt = amendment | orig = original |
| c = clause(s) | par = paragraph(s)/subparagraph(s) /sub-subparagraph(s) |
| C[x] = Compilation No. x | pres = present |
| Ch = Chapter(s) | prev = previous |
| def = definition(s) | (prev...) = previously |
| Dict = Dictionary | Pt = Part(s) |
| disallowed = disallowed by Parliament | r = regulation(s)/rule(s) |
| Div = Division(s) | reloc = relocated |
| exp = expires/expired or ceases/ceased to have effect | renum = renumbered |
| F = Federal Register of Legislation | rep = repealed |
| gaz = gazette | rs = repealed and substituted |
| LA = <i>Legislation Act 2003</i> | s = section(s)/subsection(s) |
| LIA = <i>Legislative Instruments Act 2003</i> | Sch = Schedule(s) |
| (md) = misdescribed amendment can be given effect | Sdiv = Subdivision(s) |
| (md not incorp) = misdescribed amendment cannot be given effect | SLI = Select Legislative Instrument |
| mod = modified/modification | SR = Statutory Rules |
| No. = Number(s) | Sub-Ch = Sub-Chapter(s) |
| | SubPt = Subpart(s) |
| | <u>underlining</u> = whole or part not commenced or to be commenced |

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

| Name | Registration | Commencement | Application, saving and transitional provisions |
|--|----------------------------------|-------------------|---|
| Customs (Australian Trusted Trader Programme) Rule 2015 | 23 September 2015 F2015L01478 | 24 September 2015 | - |
| Customs (Australian Trusted Trader Programme) Amendment (2017 Measures No. 1) Rule 2017 | 28 June 2017 F2017L00769 | 1 July 2017 | - |
| Customs (Australian Trusted Trader Programme) Amendment (Obligation to Pay Import Declaration Processing Charge) Rule 2021 | 17 June 2021 F2021L00775 | 1 July 2021 | - |

Endnote 4—Amendment history

Endnote 4—Amendment history

| Provision affected | How affected |
|--------------------|-----------------|
| s 2 | rep LA s 48D |
| s 6(1) | am F2017L00769 |
| s 14(1) | am F2017L00769 |
| s 15 | rep F2017L00769 |
| S 16 | rep F2017L00769 |
| s 17 (Heading) | rs F2017L00769 |
| s 17(1) | am F2017L00769 |
| s 17 (4) | rep F2017L00769 |
| Part 5A | ad F2021L00775 |
| s 17A | ad F2021L00775 |
| s 18(8)(a) | am F2017L00769 |
| s 19(4) | am F2017L00769 |
| s 23(b)(i) | rep F2017L00769 |