



## **Export Control (Prescribed Goods—General) Amendment (Official Marks) Order 2016**

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I, Barnaby Joyce, Deputy Prime Minister and Minister for Agriculture and Water Resources, make the following order.

Dated 15 March 2016

Barnaby Joyce

Deputy Prime Minister and Minister for Agriculture and Water Resources

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## 1 Name

This is the *Export Control (Prescribed Goods—General) Amendment (Official Marks) Order 2016*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under regulation 3 of the *Export Control (Orders) Regulations 1982*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### *Export Control (Prescribed Goods—General) Order 2005*

#### **1 Subsection 1.05(1)**

Insert:

*foreign country identification mark*—see subsection 13.06(1).

#### **2 Subsection 3.02(1)**

Omit “Division”, substitute “Part”.

#### **3 Paragraph 4.05(4)(c)**

Omit “(1)(d)”, substitute “(1)(c)”.

#### **4 Paragraph 4.05(4)(d)**

Omit “(1)(e)”, substitute “(1)(d)”.

#### **5 Paragraph 4.05(4)(e)**

Omit “(1)(f)”, substitute “(1)(e)”.

#### **6 Section 13.04**

Repeal the section.

#### **7 Subsection 13.06(1)**

Repeal the subsection, substitute:

(1) In this section:

*foreign country identification mark* means a mark required to be used in relation to the importation of goods into a foreign country, as determined by the authority or body responsible for regulating the importation of prescribed goods into that country.

Note: Foreign country identification marks are recorded in the *Manual of Importing Country Requirements* published by the Department (**MICoR**). MICoR could in 2016 be viewed on the Department’s MICoR website (<http://micor.agriculture.gov.au>).

#### **8 Subsection 13.06(2)**

Omit “, as specified in MICoR,”.

#### **9 Paragraph 13.06(3)(c)**

Omit “in MICoR”, substitute “by the authority or body that determined the mark”.

#### **10 At the end of subsection 13.06(3)**

Add:

Note: Requirements for the dimensions of a foreign country mark are included in the information recorded in MICoR.

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**11 Subsection 13.07(1)**

Repeal the subsection, substitute:

- (1) For the purposes of the definition of *official mark* in section 3 of the Act, a mark of the following design is an official mark:

**12 Section 13.08 (heading)**

Repeal the heading, substitute:

**13.08 Declaration of official marks—carton seals (interim)****13 At the end of section 13.08**

Add:

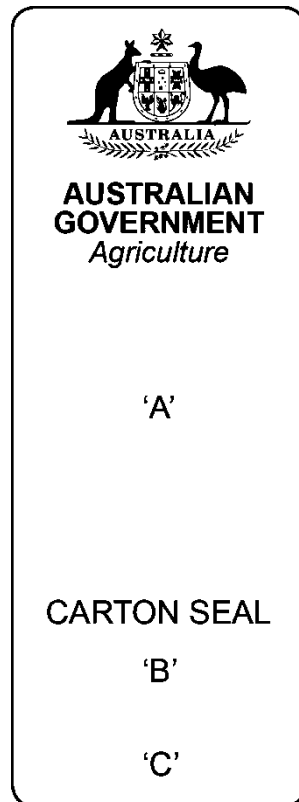
- (4) This section is repealed on 1 April 2017.

**14 After section 13.08**

Insert:

**13.08A Declaration of official marks—carton seals**

- (1) For the purposes of the definition of *official mark* in section 3 of the Act, a mark:
- (a) of the following design (but with the substitutions described in subsection (3)); and
  - (b) printed in black, except for the Coat of Arms which is printed in red, on a white or security background; and
  - (c) of the dimensions set out in subsection (2);
- is an official mark:



- (2) The dimensions of the mark are:
- (a) width not less than 45 mm, and not more than 75 mm; and
  - (b) height not less than 125 mm, and not more than 160 mm.
- (3) The substitutions in the design of the mark are as follows:
- (a) the registration number of the establishment at which the relevant prescribed goods were prepared is to be substituted for 'A';
  - (b) a number, or a combination of letters and numbers, associated with the manufacturer of the mark is to be substituted for 'B';
  - (c) a number, or a combination of letters and numbers, that is unique to each mark is to be substituted for 'C'.

## **15 Section 13.09 (heading)**

Repeal the heading, substitute:

### **13.09 Declaration of official marks—goods opened for inspection and re-sealed (interim)**

## **16 At the end of section 13.09**

Add:

- (4) This section is repealed on 1 April 2017.

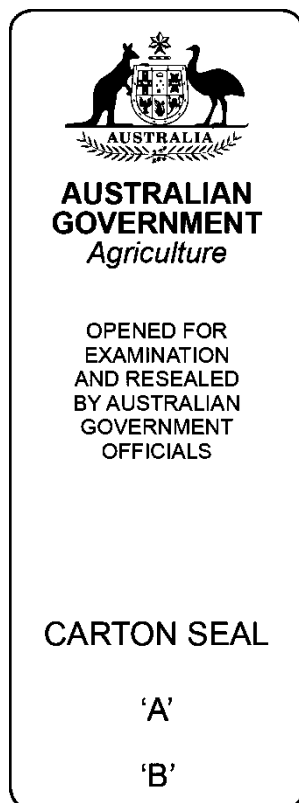
## **17 After section 13.09**

Insert:



**13.09A Declaration of official marks—goods opened for inspection and re-sealed**

- (1) For the purposes of the definition of *official mark* in section 3 of the Act, a mark:
- (a) of the following design (but with the substitutions described in subsection (3)); and
  - (b) printed in green, except for the Coat of Arms which is printed in red, on a white or security background; and
  - (c) of the dimensions set out in subsection (2);
- is an official mark:



- (2) The dimensions are:
- (a) width not less than 45 mm, and not more than 75 mm; and
  - (b) height not less than 125 mm, and not more than 160 mm.
- (3) The substitutions in the design of the mark are as follows:
- (a) a number, or a combination of letters and numbers, associated with the manufacturer of the mark is to be substituted for 'A';
  - (b) a number, or a combination of letters and numbers, that is unique to each mark is to be substituted for 'B'.

**18 Section 13.10**

Before “For”, insert “(1)”.

**19 At the end of section 13.10**

Add:

(2) This section is repealed on 1 April 2017.

## **20 After section 13.10**

Insert:

### **13.10A Declaration of official mark—tamper-indicative seal**

For the purposes of the definition of *official mark* in section 3 of the Act, a seal that:

- (a) is a tamper-indicative metal strap seal that can be secured in a loop by inserting one end of the seal into or through a protected locking mechanism on the other end; and
- (b) complies with ISO 17712:2013 *Freight containers—Mechanical seals* published by the International Organization for Standardization; and
- (c) carries the words “Australian Government”; and
- (d) carries a unique number, or a combination of letters and numbers, provided to the manufacturer of the seal by the Department;

is an official mark.

## **21 Section 13.11**

Before “For”, insert “(1)”.

## **22 At the end of section 13.11**

Add:

(2) This section is repealed on 1 April 2017.

## **23 After section 13.11**

Insert:

### **13.11A Declaration of official mark—bolt seal**

For the purposes of the definition of *official mark* in section 3 of the Act, a seal that:

- (a) is a high security bolt seal; and
- (b) complies with ISO 17712:2013 *Freight containers—Mechanical seals* published by the International Organization for Standardization; and
- (c) carries the words “Australian Government”; and
- (d) carries a unique number, or a combination of letters and numbers, provided to the manufacturer of the seal by the Department; and
- (e) is coated with green or blue plastic;

is an official mark.

## **24 Section 13.14 (heading)**

Repeal the heading, substitute:

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**13.14 Declaration of official mark (interim)****25 Section 13.14**

Before “For”, insert “(1)”.

**26 At the end of section 13.14**

Add:

(2) This section is repealed on 1 April 2017.

**27 After section 13.14**

Insert:

**13.14A Declaration of official mark**

For the purposes of the definition of *official mark* in section 3 of the Act, a mark of the following design (but with a number representing the user of the mark substituted for ‘XXXX’) is an official mark:

