

Customs and Biosecurity Amendment (Deferred Charges for Australian Trusted Traders) Regulations 2021

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 24 June 2021

David Hurley

Governor‑General

By His Excellency’s Command

Jason Wood

Assistant Minister for Customs, Community Safety and Multicultural Affairs  
Parliamentary Secretary to the Minister for Home Affairs

Contents

1 Name 1

2 Commencement 1

3 Authority 1

4 Schedules 1

Schedule 1—Amendment of the Customs Regulation 2015 2

Customs Regulation 2015 2

Schedule 2—Amendment of the Biosecurity Regulation 2016 3

Biosecurity Regulation 2016 3

1 Name

This instrument is the *Customs and Biosecurity Amendment (Deferred Charges for Australian Trusted Traders) Regulations 2021*.

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 | 1 July 2021. | 1 July 2021 |

Note: This table relates only to the provisions of this instrument as originally made.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 the following*:*

(a) the *Customs Act 1901*;

(b) the *Biosecurity Act 2015*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendment of the Customs Regulation 2015

Customs Regulation 2015

1 Section 4 (definition of *excluded import duty*)

Repeal the definition.

2 After subparagraph 94A(1)(a)(i)

Insert:

(ia) the goods are not excise‑equivalent goods;

3 At the end of subparagraph 94A(1)(a)(iv)

Add “and”.

4 Subparagraph 94A(1)(a)(v)

Repeal the subparagraph.

5 Paragraph 94A(1)(b)

Omit “, other than an excluded import duty,”.

6 Subsection 94A(2)

Repeal the subsection.

7 Subsection 94A(3)

Omit “(other than an excluded import duty)”.

8 In the appropriate position in Part 18

Insert:

159 Amendments made by the *Customs and Biosecurity Amendment (Deferred Charges for Australian Trusted Traders) Regulations 2021*

The amendments of this instrument made by Schedule 1 to the *Customs and Biosecurity Amendment (Deferred Charges for Australian Trusted Traders) Regulations 2021* apply in relation to goods entered for home consumption on or after the commencement of that Schedule.

Schedule 2—Amendment of the Biosecurity Regulation 2016

Biosecurity Regulation 2016

1 After the heading to subsection 108(5)

Insert:

(4A) A charge in relation to a biosecurity matter prescribed by item 1 or 2 of the table in section 9 of the *Biosecurity Charges Imposition (Customs) Regulation 2016* or item 1 or 2 of the table in section 9 of the *Biosecurity Charges Imposition (General) Regulation 2016* is due and payable on or before the 21st day after the end of the month in which the import declaration was made, if, at the time the declaration was made, a trusted trader agreement (within the meaning of the *Customs Act 1901*) is in force, and not suspended, between the Comptroller‑General of Customs (within the meaning of that Act) and the entity.

2 Subsection 108(5)

After “*Biosecurity Charges Imposition (General) Act 2015*”, insert “, other than a charge covered by subsection (4A) of this section,”.

3 At the end of the instrument

Add:

Chapter 10—Transitional matters

121 Amendments made by the *Customs and Biosecurity Amendment (Deferred Charges for Australian Trusted Traders) Regulations 2021*

The amendments of this instrument made by Schedule 2 to the *Customs and Biosecurity Amendment (Deferred Charges for Australian Trusted Traders) Regulations 2021* apply in relation to goods entered for home consumption on or after the commencement of that Schedule.