

SUPPLEMENTARY EXPLANATORY STATEMENT

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

Customs Act 1901

Customs (Prohibited Imports) Amendment (Firearms and Weapons) Regulations 2021

Purpose of supplementary explanatory statement

This supplementary explanatory statement amends the initial explanatory statement to the *Customs (Prohibited Imports) Amendment (Firearms and Weapons) Regulations 2021* (the Amendment Regulations), at the request of the Senate Standing Committee for the Scrutiny of Delegated Legislation. It details the source of the Amendment Regulations' sunset setting exemption, and that exemption's effect on Parliamentary oversight.

Sunset setting Exemption

After the paragraph starting 'The remaining measures are', insert the following paragraphs:

The Amendment Regulations are exempt from sunset setting under paragraph (a) of item 21 of section 12 of the *Legislation (Exemptions and Other Matters) Regulation 2015*, given that it is an instrument made solely for the purpose of section 50 of the *Customs Act 1901*.

The *Customs (Prohibited Imports) Regulations 1956* (the PI Regulations), amended by the Amendment Regulations, are also exempt from sunset setting under the same exemption. The majority of provisions in the PI Regulations relate to intergovernmental schemes or give effect to Australia's international obligations. This includes provisions in the PI Regulations amended by the Amendment Regulations relating to prohibitions on the importation of firearms, which relate to the implementation of the National Firearms Agreement between the Commonwealth, State and Territory governments.

The fitness for purpose of prohibitions on the importation of goods is regularly examined, with individual prohibitions being updated as required and with amendments subject to Parliamentary oversight.