



LIN 22/078

Aviation Transport Security (Prohibited Items) Instrument 2022

I, Clare O’Neil, Minister for Home Affairs, make this instrument under section 9A of the *Aviation Transport Security Act 2004* (the *Act*).

Dated 9 September 2022

The Hon. Clare O’Neil MP
Minister for Home Affairs

1 Name

This instrument is the *Aviation Transport Security (Prohibited Items) Instrument 2022*.

2 Commencement

This instrument commences on the day after it is registered.

3 Repeal

The *Aviation Transport Security (Prohibited Items) Instrument 2012* (F2015C00564) is repealed.

4 Definitions

In this instrument:

Act means the *Aviation Transport Security Act 2004*.

Regulations means the *Aviation Transport Security Regulations 2005*.

5 Prohibited items

- (1) An item mentioned in the following table is specified for paragraph (b) of the definition of *prohibited item* in section 9 of the Act.

Item	Description
1	Sporting goods, kitchen utensils, tools, and other items with sharp edges or points capable of injuring a person <i>Examples</i> Axes, hatchets and similar items Box cutters Crampons Darts Drills Ice axes and ice picks Ice skates Knives, including leatherworking knives Meat cleavers Metal cutlery Open razors (also called straight razors) Rock climbing equipment such as pitons, hooks, hammers and bolts Saws Scalpels Screwdrivers, crowbars, hammers, pliers and wrenches

Ski poles

Utility knives

Note Some items of this kind are excluded under subsections 7(1), (2) and (5).

- 2 Sharp items that are not weapons but are capable (with or without modification) of causing harm by penetration

Examples

Letter-openers

Bodkins

Pointed metal scissors, manicure scissors and scissors with blades more than 6 cm long

Razor blades

Hypodermic needles (whether or not attached to syringes)

Note Some items of this kind are excluded under subsections 7(1), (2) and (5).

- 3 Blunt items (other than walking sticks, crutches, or other mobility aids, or dressing sticks designed to assist a person to dress or undress) that are able to be used to bludgeon or threaten to bludgeon a person

Examples

Baseball, softball, and cricket bats and any similar item used in sport

Hockey and lacrosse sticks and any similar item used in sport

Billiard, pool or snooker cues

Golf clubs

Any other piece of wood, metal or any other substance big enough to threaten a person with

Note Some items of this kind are excluded under subsection 7(5).

- 4 Household flammable goods

Examples

Aerosol containers, including cans of spray paint

Petrol and any other flammable liquid

Fireworks

Toy caps

Note Some items of this kind are excluded under subsections 7(3) and (5).

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- 5 Items capable of being used to restrain a person that are not authorised under a provision of the Act, the Regulations or this instrument

Examples

Cable ties

Handcuffs

Note Some items of this kind are excluded under subsection 7(5).

- 6 A knife or knife-like item (whether or not made of metal) strong enough to be used as a weapon

Note Some items of this kind are excluded under subsections 7(1), (2) and (5).

- (2) An item that is a replica or imitation of an item in the table in subsection (1) is also specified for paragraph (b) of the definition of ***prohibited item*** in section 9 of the Act.

Note 1 Examples of items that are set out in the table are not exhaustive: see section 15AD of the *Acts Interpretation Act 1901*.

Note 2 An item that is a prohibited item under this instrument and a weapon under regulation 1.09 of the Regulations is a weapon for the purposes of the Regulations: see subregulation 1.09(5).

6 Application of other laws

To avoid doubt, nothing in this instrument implies that an item not mentioned in the table in subsection 5(1) is permitted to be carried by air if its carriage would be prohibited by another law.

Note See in particular section 23 of the *Civil Aviation Act 1988* and Part 92 of the *Civil Aviation Safety Regulations 1998* in relation to the carriage of dangerous goods.

7 Items that are not prohibited items

For paragraph (b) of the definition of ***prohibited item*** in section 9 of the Act, the following items are not prohibited items.

Household and personal items

- (1) The following items are not prohibited items:
- (a) a plastic cutlery knife;
 - (b) a fork with square-ended or round-ended tines and a handle that is round-ended and non-detachable;
 - (c) blunt-ended or round-ended scissors with blades less than 6 cm long;
 - (d) a safety razor;
 - (e) a hypodermic needle carried by a person who shows proof that it is medically necessary for the person's use or the use of another person under the person's care.

Metal cutlery knife

- (2) A metal cutlery knife is not a prohibited item if the knife is round-ended with no sharp points and:
- (a) it is in the possession of a person on an aircraft for use on that aircraft; or
 - (b) it is in the possession of a person in a landside security zone for use in that zone; or
 - (c) it is in the possession of a person in an airside security zone and either:
 - (i) is to be used in the course of, or for the purposes of, carrying on a business requiring the use of cutlery in a landside security zone; or
 - (ii) is for use by persons on an aircraft; or
 - (d) it is in a person's possession when the person passes through a screening point and either:
 - (i) is to be used in the course of, or for the purposes of, carrying on a business requiring the use of cutlery in a landside security zone; or
 - (ii) is for use by persons on an aircraft in accordance with an arrangement with the aircraft operator for the supply of cutlery.

Flammable goods

- (3) The following items are not prohibited items if they do not exceed the limits mentioned in subsection (4):
- (a) alcohol (including alcoholic beverages);
 - (b) perfume;
 - (c) matches and lighters;
 - (d) lighter fluid;
 - (e) an aerosol container for personal (including cosmetic) use or a medical application (such as an asthma inhaler).

Note The carriage of some of these items may be regulated as dangerous goods: see section 23 of the *Civil Aviation Act 1988* and Part 92 of the *Civil Aviation Safety Regulations 1998*.

- (4) The limits for the items mentioned in subsection (3) are as follows:
- (a) the total volume of all liquid items must not exceed 5 litres;
 - (b) the volume of liquid items, other than alcohol or perfume, must not exceed 2 litres;
 - (c) the total mass of all non-liquid items must not be greater than 2 kilograms.

Aircraft stores etc.

- (5) An item that is part of an aircraft's stores or emergency equipment, or of an airline operator's or airport operator's emergency equipment, is not a prohibited item if it is not readily accessible to passengers or the public.