



# **Criminal Code Regulations 2002**

**Statutory Rules 2002 No. 67 as amended**

made under the

*Criminal Code Act 1995*

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Prepared by the Office of Legislative Drafting and Publishing,  
Attorney-General's Department, Canberra

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**Regulation 1**

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**Part 1 Preliminary**

**1 Name of Regulations** [see Note 1]

These Regulations are the *Criminal Code Regulations 2002*.

**2 Commencement** [see Note 1]

These Regulations commence on gazettal.

**3 Definition**

In these Regulations:

*Code* means the Criminal Code.

## Part 2                      Security of the Commonwealth

### 4                      Terrorist organisations

#### 4A                      Terrorist organisations — Al Qa'ida

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Al Qa'ida/Islamic Army is specified.
- (2) For subregulation (1), Al Qa'ida/Islamic Army is also known by the following names:
  - (a) 'The Base';
  - (b) Al Qaida;
  - (c) Al Qaeda;
  - (d) International Front for Fighting Jews and Crusaders;
  - (e) Islamic Army for the Liberation of Holy Sites;
  - (f) Islamic Salvation Foundation;
  - (g) The Group for the Preservation of the Holy Sites;
  - (h) The Islamic Army for the Liberation of the Holy Places;
  - (i) The World Islamic Front for Jihad Against Jews and Crusaders;
  - (j) Usama Bin Laden Network;
  - (k) Usama Bin Laden Organization;
  - (l) International Islamic Front Against Jews and Christians;
  - (m) Qa'idat Al-Jihad.

#### 4B                      Terrorist organisation — Jemaah Islamiyah

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Jemaah Islamiyah (the network in southeast Asia, founded by the late Abdullah Sungkar) is specified.

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- (2) For subregulation (1), Jemaah Islamiyah is also known by the following names:
- (a) Jema'ah Islamiyah;
  - (b) Jemaah Islamiya;
  - (c) Jemaah Islamiyah;
  - (d) Jamaah Islamiyah;
  - (e) Jama'ah Islamiyah.

**4C Terrorist organisations — Abu Sayyaf Group**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Abu Sayyaf Group is specified.
- (2) For subregulation (1), Abu Sayyaf Group is also known by the following names:
- (a) Abu Sayyaf Group (ASG);
  - (b) Al Harakat Al Islamiyya (AHAI);
  - (c) Al Harakat-ul Al Islamiyya;
  - (d) Al-Harakatul-Islamia;
  - (e) Al Harakat Al Aslamiya;
  - (f) Abou Sayaf Armed Band (ASAB);
  - (g) Abu Sayaff Group;
  - (h) Abou Sayyef Group and Mujahideen Commando Freedom Fighters (MCFF).

**4D Terrorist organisations — Jamiat ul-Ansar (JuA)**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Jamiat ul-Ansar (JuA) is specified.
- (2) For subregulation (1), Jamiat ul-Ansar (JuA) is also known by the following names:
- (a) Harakat ul-Mujahideen;
  - (b) HuM;
  - (c) Al-Faran;
  - (d) Al-Hadid;

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- (e) Al-Hadith;
- (f) Harakat-ul-Ansar;
- (g) HuA;
- (h) Harakat ul-Mujahidin/HuM.

**4E Terrorist organisations — Armed Islamic Group**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Armed Islamic Group is specified.
- (2) For subregulation (1), Armed Islamic Group is also known by the following names:
  - (a) Al Jamm'ah Al-Islamiah Al-Musallah;
  - (b) GIA;
  - (c) Groupement Islamique Armé;
  - (d) Groupe Islamique Armé.

**4F Terrorist organisations — Salafist Group for Call and Combat/GSPC**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Salafist Group for Call and Combat/GSPC is specified.
- (2) For subregulation (1), the Salafist Group for Call and Combat/GSPC is also known as Le Groupe Salafiste Pour La Prediction et le Combat.

**4G Terrorist organisations — Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn is specified.
- (2) For subregulation (1), Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn is also known by the following names:
  - (a) Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn (TQJBR);
  - (b) TQJBR;

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- (c) the al-Zarqawi network;
- (d) al-Tawhid;
- (e) Jama'at al-Tawhid wa'al-Jihad;
- (f) Al-Tawhid and al-Jihad;
- (g) The Monotheism and Jihad Group;
- (h) Qaida of the Jihad in the Land of the Two Rivers;
- (i) Al-Qa'ida of Jihad in the Land of the Two Rivers;
- (j) Al-Qa'ida of Jihad Organization in the Land of the Two Rivers;
- (k) The Organisation of Jihad's Base in the Country of the Two Rivers;
- (l) The Organisation Base of Jihad/Country of the Two Rivers;
- (m) The Organisation Base of Jihad/Mesopotamia;
- (n) Tanzeem Qa'ida al-Jihad/Bilad al Raafidaini;
- (o) Kateab al-Tawhid;
- (p) Brigades of Tawhid;
- (q) Unity and Jihad Group;
- (r) Unity and Holy Struggle;
- (s) Unity and Holy War.

**4H Terrorist organisations — Ansar al-Islam**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Ansar al-Islam is specified.
- (2) For subregulation (1), Ansar al-Islam is also known by the following names:
  - (a) Partisans of Islam;
  - (b) Supporters of Islam;
  - (c) Devotees of Islam;
  - (d) Ansar al Sunna;
  - (e) Jaish Ansar al-Sunna;
  - (f) Ansar al-Sunna Army;
  - (g) Army of Ansar al-Sunn.



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**4I Terrorist organisations — Asbat al-Ansar**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Asbat al-Ansar is specified.
- (2) For subregulation (1), Asbat al-Ansar is also known by the following names:
  - (a) Usbat al-Ansar;
  - (b) Osbat al-Ansar.

**4J Terrorist organisations — Islamic Movement of Uzbekistan**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Islamic Movement of Uzbekistan is specified.
- (2) For subregulation (1), Islamic Movement of Uzbekistan is also known by the following names:
  - (a) IMU;
  - (b) Islamic Party of Turkestan;
  - (c) Islamic Movement of Turkestan.

**4K Terrorist organisations — Jaish-e-Mohammad**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Jaish-e-Mohammad is specified.
- (2) For subregulation (1), Jaish-e-Mohammad is also known by the following names:
  - (a) Jaish-i-Mohammad;
  - (b) Jesh-e-Mohammadi;
  - (c) Jaish-e-Mohammad-e-Tanzeem;
  - (d) Tehrik-al-Furgan;
  - (e) Tehrik-al-Furqaan;
  - (f) Khuddam-ul-Islam;
  - (g) Army of Mohammad.

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**4L Terrorist organisations — Lashkar-e Jhangvi (LeJ)**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Lashkar-e Jhangvi (LeJ) is specified.
- (2) For subregulation (1), Lashkar-e Jhangvi (LeJ) is also known by the following names:
  - (a) Lashkar-e Jhangvi;
  - (b) Lashkar e Jhangvi;
  - (c) Laskar-e-Jhangvi;
  - (d) Lashkar-e-Jhangvie;
  - (e) Lashkar-e-Jhangwi;
  - (f) Lashkar-e-Jhanvi;
  - (g) Laskar e Jahangvi;
  - (h) Lashkar-i-Jangvi;
  - (i) Lashkar-i-Jhangvi;
  - (j) Lashkar-i-Jhangwi;
  - (k) Lashkar Jangvi;
  - (l) Lashkar Jhangvi;
  - (m) Lashkare Jhangvi;
  - (n) Jhangvi Army.

**4M Terrorist organisations — Egyptian Islamic Jihad**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Egyptian Islamic Jihad is specified.
- (2) For subregulation (1), Egyptian Islamic Jihad is also known by the following names:
  - (a) al-Jihad;
  - (b) Jihad Group;
  - (c) Islamic Jihad;
  - (d) Al-Jihad al-Islami;
  - (e) New Jihad Group;
  - (f) Qaeda al-Jihad;
  - (g) Talaa'al al-Fateh;

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- (h) Vanguard of Conquest;
- (i) al-Takfir;
- (j) World Justice Group;
- (k) International Justice Group;
- (l) Islamic Group.

**4N Terrorist organisations — Islamic Army of Aden (IAA)**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Islamic Army of Aden (IAA) is specified.
- (2) For subregulation (1), Islamic Army of Aden (IAA) is also known by the following names:
  - (a) Aden Abyan Islamic Army (AAIA);
  - (b) Islamic Army of Aden Abayan.

**4Q Terrorist organisations — Hizballah's External Security Organisation (ESO)**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Hizballah's External Security Organisation (ESO) is specified.
- (2) For subregulation (1), Hizballah's External Security Organisation (ESO) is also known as Islamic Jihad Organisation.

**4T Terrorist organisations — Palestinian Islamic Jihad (PIJ)**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Palestinian Islamic Jihad (PIJ) is specified.
- (2) For subregulation (1), Palestinian Islamic Jihad (PIJ) is also known by the following names:
  - (a) Islamic Jihad Palestine (IJP);
  - (b) Islamic Jihad — Palestine Faction;
  - (c) Islamic Holy War.

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**4U Terrorist organisations — HAMAS' Izz al-Din al-Qassam Brigades**

For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as HAMAS' Izz al-Din al-Qassam Brigades is specified.

**4V Terrorist organisations — Lashkar-e-Tayyiba (LeT)**

- (1) For paragraph (b) of the definition of *terrorist organisation* in subsection 102.1 (1) of the Code, the organisation known as Lashkar-e-Tayyiba (LeT) is specified.
- (2) For subregulation (1), Lashkar-e-Tayyiba (LeT) is also known by the following names:
  - (a) Lashkar-e-Toiba;
  - (b) Lashkar-e-Taiba;
  - (c) Army of the Pure and Righteous;
  - (d) Paasban-e-Kashmir;
  - (e) Paasban-i-Ahle-Hadith;
  - (f) Jamaat-ud-Dawa.

## **Part 3                      Dangers to the community**

### **5                      Cross-border firearms trafficking**

For the definition of *firearm law* in subsections 360.2 (3) and 360.3 (2) of the Code, the Acts, and any regulations made under those Acts, mentioned in Schedule 2 are prescribed.

**Regulation 6**

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**Part 4 National infrastructure****6 Dangerous goods**

For subparagraph 471.15 (1) (b) (ii) of the Code, the following substances and things must not, without exception, be carried by post:

- (a) gas that is so toxic or corrosive to humans as to pose a hazard to health;
- (b) a thermally unstable substance that is likely to undergo a strongly exothermic decomposition;
- (c) a substance that ignites or self-heats when in contact with air.

**Schedule 1A**    **Other terrorist organisations**  
(regulation 4)

## Schedule 2 Cross-border firearms trafficking

(regulation 5)

Item	Act
1	<i>Firearms Act 1996</i> (NSW)
2	<b>Firearms Act 1996</b> (Vic)
3	<i>Weapons Act 1990</i> (Qld)
4	<i>Firearms Act 1973</i> (WA)
5	Firearms Act 1977 (SA)
6	<i>Firearms Act 1996</i> (Tas)
7	<i>Firearms Act 1996</i> (ACT)
8	<i>Firearms Act 1997</i> (NT)
9	<i>Firearms Act 1997</i> (Norfolk Island)

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**Table of Instruments****Notes to the *Criminal Code Regulations 2002*****Note 1**

The *Criminal Code Regulations 2002* (in force under the *Criminal Code Act 1995*) as shown in this compilation comprise Statutory Rules 2002 No. 67 amended as indicated in the Tables below.

Under the *Legislative Instruments Act 2003*, which came into force on 1 January 2005, it is a requirement for all non-exempt legislative instruments to be registered on the Federal Register of Legislative Instruments. From 1 January 2005 the Statutory Rules series ceased to exist and was replaced with Select Legislative Instruments (SLI series). Numbering conventions remain the same, ie Year and Number.

**Table of Instruments**

<b>Year and number</b>	<b>Date of notification in <i>Gazette</i> or FRLI registration</b>	<b>Date of commencement</b>	<b>Application, saving or transitional provisions</b>
2002 No. 67	12 Apr 2002	12 Apr 2002	
2002 No. 248	21 Oct 2002	21 Oct 2002	—
2002 No. 249	21 Oct 2002	(a)	—
2002 No. 250	27 Oct 2002	27 Oct 2002	—
2002 No. 269	14 Nov 2002	14 Nov 2002	—
2002 No. 270	14 Nov 2002	14 Nov 2002	—
2002 No. 271	14 Nov 2002	14 Nov 2002	—
2002 No. 272	14 Nov 2002	14 Nov 2002	—
2003 No. 30	7 Mar 2003	7 Mar 2003	—
2003 No. 43	27 Mar 2003	27 Mar 2003	—
2003 No. 59	11 Apr 2003	11 April 2003	—
2003 No. 60	11 Apr 2003	11 April 2003	—
2003 No. 61	11 Apr 2003	11 April 2003	—
2003 No. 62	11 Apr 2003	11 April 2003	—
2003 No. 63	11 Apr 2003	11 April 2003	—
2003 No. 64	11 Apr 2003	11 April 2003	—
2003 No. 184	18 July 2003	5 June 2003	—
2003 No. 285	9 Nov 2003	9 Nov 2003	—
2004 No. 83	3 May 2004	3 May 2004	—
2004 No. 283	1 Sept 2004	1 Sept 2004	—
2004 No. 284	1 Sept 2004	1 Sept 2004	—

**Table of Instruments**

<b>Year and number</b>	<b>Date of notification in <i>Gazette</i> or FRLI registration</b>	<b>Date of commencement</b>	<b>Application, saving or transitional provisions</b>
2004 No. 311	5 Nov 2004	5 Nov 2004	—
2004 No. 312	5 Nov 2004	5 Nov 2004	—
2004 No. 313	5 Nov 2004	5 Nov 2004	—
2004 No. 314	5 Nov 2004	5 Nov 2004	—
2005 No. 23	1 Mar 2005 (see F2005L00384)	2 Mar 2005	—
2005 No. 36	23 Mar 2005 (see F2005L00699)	27 Mar 2005	—
2005 No. 57	8 Apr 2005 (see F2005L00703)	11 Apr 2005	—
2005 No. 58	8 Apr 2005 (see F2005L00702)	11 Apr 2005	—
2005 No. 59	8 Apr 2005 (see F2005L00707)	11 Apr 2005	—
2005 No. 60	8 Apr 2005 (see F2005L00701)	11 Apr 2005	—
2005 No. 61	8 Apr 2005 (see F2005L00706)	11 Apr 2005	—
2005 No. 62	8 Apr 2005 (see F2005L00850)	11 Apr 2005	—
2005 No. 85	26 May 2005 (see F2005L01201)	5 June 2005	—
2005 No. 86	26 May 2005 (see F2005L01202)	5 June 2005	—
2005 No. 87	26 May 2005 (see F2005L01203)	5 June 2005	—
2005 No. 88	26 May 2005 (see F2005L01204)	5 June 2005	—
2005 No. 214	6 Oct 2005 (see F2005L02976)	7 Oct 2005	—

(a) Schedule 1 (item 3) of the *Criminal Code Amendment (Terrorist Organisations) Act 2002* provides as follows:

**3 Effect of regulations made before commencement of this Act**

In spite of anything in subsection 102.1(4) of the *Criminal Code* before it was repealed, or in the regulations concerned, regulations made for the purposes of paragraph (c) of the definition of **terrorist organisation** in section 102.1 of the *Criminal Code* that were notified in the *Gazette* before the commencement of this Act are deemed to have taken effect on 21 October 2002. Section 48 of the *Acts Interpretation Act 1901* has effect subject to this item.

**Table of Amendments****Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
<b>Part 1</b>	
Heading to Part 1 .....	ad. 2002 No. 248
<b>Part 2</b>	
Part 2 .....	ad. 2002 No. 248
R. 4 .....	ad. 2002 No. 248 rs. 2003 No. 184 am. 2003 No. 285; 2005 Nos. 85, 86, 87 and 88
Note to r. 4 .....	am. 2003 No. 285
R. 4A .....	ad. 2004 No. 283
R. 4B .....	ad. 2004 No. 284
R. 4C .....	ad. 2004 No. 311
R. 4D .....	ad. 2004 No. 312
R. 4E .....	ad. 2004 No. 313
R. 4F .....	ad. 2004 No. 314
R. 4G .....	ad. 2005 No. 23
R. 4H .....	ad. 2005 No. 36
R. 4I .....	ad. 2005 No. 60
R. 4J .....	ad. 2005 No. 58
R. 4K .....	ad. 2005 No. 57
R. 4L .....	ad. 2005 No. 61
R. 4M .....	ad. 2005 No. 59
R. 4N .....	ad. 2005 No. 62
R. 4P .....	ad. 2005 No. 88 rep. 2005 No. 214
R. 4Q .....	ad. 2005 No. 85
R. 4R .....	ad. 2005 No. 86 rep. 2005 No. 214
R. 4S .....	ad. 2005 No. 87 rep. 2005 No. 214
R. 4T .....	ad. 2005 No. 214
R. 4U .....	ad. 2005 No. 214
R. 4V .....	ad. 2005 No. 214
<b>Part 3</b>	
Part 3 .....	ad. 2003 No. 30
R. 5 .....	ad. 2003 No. 30

**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
<b>Part 4</b>	
Heading to Part 3.....	ad. 2002 No. 248
Renumbered as Part 4 ....	2003 No. 30
<b>R. 4</b>	
Renumbered as r. 5.....	2002 No. 248
<b>R. 5</b>	
Renumbered as r. 6 .....	2003 No. 30
<b>Schedule 1</b>	
Schedule 1 .....	ad. 2002 No. 248 am. 2002 Nos. 249, 250, 269, 270, 271 and 272; 2003 Nos. 43, 59, 60, 61, 62, 63 and 64; 2004 Nos. 83, 283, 284, 311, 312, 313 and 314; 2005 Nos. 36, 57, 58, 59, 60, 61 and 62 rep. 2005 No. 88
<b>Schedule 1A</b>	
Heading to Schedule 1A .....	rs. 2003 No. 285
Schedule 1A .....	ad. 2003 No. 184
Heading to Part 1 .....	ad. 2003 No. 285 rep. 2005 No. 85
Part 1 .....	rep. 2005 No. 85
Part 2 .....	ad. 2003 No. 285 rep. 2005 No. 86
Part 3 .....	ad. 2003 No. 285 rep. 2005 No. 87
<b>Schedule 2</b>	
Schedule 2.....	ad. 2003 No. 30