



PENALTIES FOR THE IMPORTATION OR POSSESSION OF PROHIBITED IMPORTS

BE AWARE

Importing goods into Australia that are prohibited under Customs legislation is an offence under the *Customs Act 1901* and a range of penalties may apply. As a traveller or importer it is your responsibility to make yourself aware of the penalties and any licences or permissions that may be required by Customs and Border Protection.

This fact sheet outlines the penalties for the importation or possession of prohibited imports under the *Customs Act 1901*.

IMPORTATION OF PROHIBITED AND RESTRICTED GOODS

It is an offence, under section 233 of the *Customs Act 1901*, to unlawfully import, or be in possession of, any prohibited or restricted goods.

The following penalties can apply for importing or possessing these goods.

Penalties not exceeding 3 times the value of the goods or 1000 penalty units (\$110,000), whichever is greater, or penalties not exceeding 1000 penalty units where the value of the goods cannot be determined may apply.

If you are importing a restricted item subject to a permit, all documentation must be produced to Customs and Border Protection at the time of importation.

Penalties can apply for more serious offences involving the importation of certain good classified on Tier 1 or Tier 2 Goods.

PENALTIES RELATING TO THE IMPORTATION OF TIER 1 GOODS

The importation of Tier 1 Goods is a criminal offence under section 233BAA(4) of the Customs Act. Tier 1 Goods are listed in Schedule 1AA of the *Customs Regulations 1926* as:

- a commercial quantity of an objectionable good
- any objectionable good imported for sale, lease or hire, distribution for trade purposes, or exhibition in public

- performance enhancing drugs
- non-narcotic drugs.

Maximum penalty for importation of Tier 1 Goods is a fine not exceeding 1000 penalty units (\$110,000) or 5 years imprisonment, or both.

PENALTIES RELATING TO THE IMPORTATION OF TIER 2 GOODS

Tier 2 Goods include:

- child pornography or child abuse material
- certain firearms
- knives
- chemical compounds
- anti-personnel sprays and gases
- fissionable or radioactive substances
- body tissue
- human body fluids
- counterfeit credit, debit and charge cards, and
- other goods specified in Schedule 1AA of the *Customs Regulations 1926*.

Maximum penalty for importation of Tier 2 Goods is a fine not exceeding 2,500 penalty units (\$275,000) or 10 years imprisonment or both.

For a full listing of Tier 1 and Tier 2 Goods please refer to Schedule 1AA of the *Customs Regulations 1926*.

The Customs Information & Support Centre (CI&SC) can discuss and provide more detailed information and advice to you on importing goods. They can be contacted by phoning: 1300 363 263 or by email at:

information@customs.gov.au