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## **AUSTRALIAN CUSTOMS NOTICE NO. 2007/46**

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### **Amendments to the *Customs (Prohibited Imports) Regulations 1956* – Heavy metal levels, Marked Fuel, Liberia sanctions**

Regulations amending the *Customs (Prohibited Imports) Regulations 1956* (Customs PI Regulations) were registered on the Federal Register of Legislative Instruments on 24 August 2007 and commenced on 25 August 2007.

#### **Heavy metal levels**

Subregulation 4(1) of the Customs PI Regulations prohibits the importation into Australia of goods specified in Schedule 2 unless the permission in writing to import the goods has been granted by the Minister for Justice and Customs or an authorised person.

The toxicological levels of the heavy metals in items 2 (toys), 6 (money boxes), 7 (pencils and paintbrushes) and 34 (erasers resembling food in scent or appearance) of Schedule 2 to the Customs PI Regulations have been amended by the *Customs (Prohibited Imports) Amendment Regulations 2007 (No. 3)* (the amending regulations) to reflect the levels published in the latest Australian/New Zealand Standard: AS/NZS ISO 8124.3:2003 'Safety of toys, Part 3: Migration of certain elements', published on 23 May 2003.

#### **Rough diamonds from Liberia**

Regulation 4P of the Customs PI Regulations prohibited the importation absolutely of rough diamonds from Liberia whether or not the diamonds originated from Liberia. Regulation 4P was introduced to give effect to the ban imposed pursuant to *United Nations Security Council Resolution 1521 (2003)*.

On 27 April 2007, the President of the Security Council announced that this import ban had been lifted and consequently the import ban imposed by Australia was no longer necessary.

The amending regulations remove the prohibition on the importation of rough diamonds from Liberia by repealing regulation 4P of the Customs PI Regulations. The importation of rough diamonds from Liberia will be subject to the requirement that the relevant Kimberley Process Certificate is provided under regulation 4MA of the Customs PI Regulations.

#### **Round logs and timber products from Liberia**

Regulation 4Q of the Customs PI Regulations prohibited the importation of round logs and timber products from Liberia without the written permission of the Minister for Foreign Affairs or an authorised person.

This regulation was introduced to give effect to the ban imposed pursuant to *United Nations Security Council Resolution 1521 (2003)*.

On 20 June 2006, the President of the Security Council announced that this import ban would not be renewed and consequently the ban imposed by Australia on the importation of round

logs and timber products from Liberia is no longer necessary. The amending regulations repeal regulation 4Q of the Customs PI Regulations.

### **Marked fuel**

Subregulation 4(2) of the Customs PI Regulations provides that goods specified in Schedule 3 are prohibited unless the conditions, restrictions or requirements specified in that Schedule are complied with.

Item 13 of Schedule 3 provided that 'marked fuel', as defined by section 4 of the *Fuel (Penalty Surcharges) Administration Act 1997*, must not be imported into Australia unless the permission of the Minister for Justice and Customs or an authorised person had been granted.

The *Fuel (Penalty Surcharges) Administration Act 1997* was repealed on 1 July 2006, and fuel tax credits under the *Fuel Tax Act 2006* replaced previous rebates and subsidies, including concessional rates of duty. As a result, item 13 of Schedule 3 became redundant. The amending regulations repeals item 13 of Schedule 3 to the Customs PI Regulations.

Inquiries concerning this Notice may be directed to the Manager, Community Protection on telephone number (02) 6275 6129 or fax number (02) 6229 3840.

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