

CUSTOMS REGULATORY PLAN 2005 - 2006

Each Commonwealth agency that has responsibility for business regulation is required to publish a regulatory plan on its website early in each financial year. The regulatory plan deals with changes within the agency's area of responsibility and contains information about:

- Changes to business regulation which have occurred since the beginning of the previous financial year; and
- Activities planned in the current financial year that could lead to changes to business regulation.

What regulation does a regulatory plan cover?

A regulatory plan covers business regulation. This includes primary legislation, subordinate legislation, quasi-regulation or treaties, which directly affect business, have a significant indirect effect on business, or restrict competition.

Quasi-regulation refers to rules or arrangements where governments influence businesses to comply, but which do not form part of explicit government regulation.

A regulatory plan does not include information about the following:

- Regulations of a minor or machinery nature that do not substantially alter existing arrangements;
- Regulations that involve consideration of specific Government purchases;
- Regulations of a state or self-governing territory that apply in a non-self governing territory; and
- Anticipated activity about which it would be inappropriate to publish information on grounds of confidentiality.

In addition, there may be regulatory activities undertaken during the next financial year which have not been included in a regulatory plan because they could not be foreseen when the plan was prepared at the start of the financial year.

In view of these exclusions, users should not take a regulatory plan to be a comprehensive source of information on past or potential changes to business regulation.

Customs' regulatory plan

A number of agencies have policy responsibility for regulatory activities that result in amendments to the *Customs (Prohibited Imports) Regulations 1956* and the *Customs (Prohibited Exports) Regulations 1958*. Customs' regulatory plan does not include planned regulatory activities that are the sole policy responsibility of another agency.

The regulatory plans for the following agencies are also relevant in relation to planned regulatory activities, which may result in amendments to Customs' legislation:

- Department of Agriculture, Fisheries and Forestry
- Attorney-General's Department
- Australia New Zealand Food Authority
- Australian Fisheries Management Authority
- Department of Employment and Workplace Relations
- Department of Health and Ageing
- Department of Industry, Tourism and Resources
- Department of the Treasury
- Department of Transport and Regional Services
- Department of the Environment and Heritage

How up to date is information in this regulatory plan?

This regulatory plan was last updated in July 2005.

All correspondence in relation to this regulatory plan should be forwarded to the relevant contact officer at the following address:

**Australian Customs Service
5 Constitution Ave
CANBERRA ACT 2601**

PAST REGULATORY CHANGES

Type of entry	Past regulatory change.
Title	<i>Customs Administration Amendment Regulations 2005 (No. 1).</i>
Description of issue	Amends the <i>Customs Administration Regulations Act 2000</i> to amend Schedule 2 to facilitate the disclose of protected information by Customs to specified agencies.
Date of making	01/12/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Administration Amendment Regulations 2006 (No. 1).</i>
Description of issue	Amendment to Schedule 2 to the <i>Customs Administration Regulations 2000</i>
Date of making	15/02/2006
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Amendment Regulations 2006 (No. 1).</i>
Description of issue	These Regulations extend the time for making and application for a refund of customs duty
Date of making	26/04/2006
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Amendment Regulations 2006 (No.2).</i>
Description of issue	Amends the <i>Customs Regulations 1926</i> . These Regulations prescribe "excise-equivalent goods", "like customable goods" and a new warehouse license fee.
Date of making	28/06/2006
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Amendment Regulations 2006 (No. 3).</i>
Description of issue	Amends the <i>Customs Regulations 1926</i> . These Regulations amend the Customs Regulations 1926 in order to repeal provisions for remissions or refund of duty for certain fuels where used or intended for use other in an internal combustion engine. These remissions and refunds will be replaced by a fuel tax credit under the Fuel Tax Act 2006. The Regulations limit entitlement to a drawback of excise duty on the export of fuel to situations where an entitlement to a fuel tax credit does not exist with respect to the fuel, or otherwise where an entity has made the necessary adjustments on its business activity statement for any previous entitlements. This is to prevent entitlement arising for both a drawback and fuel tax credit.
Date of making	28/06/2006
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Amendment Regulations 2005 (No. 4).</i>
Description of issue	Regulations prescribing approved firearm.
Date of making	18/08/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Amendment Regulations 2005 (No. 5).</i>
Description of issue	Amends the <i>Customs Regulations 1926</i> . Amendments to the Customs Regulations 1926 relating to the commencement of parts of the Customs Legislation Amendments and Repeal (International Trade Modernisation) Act 2001.
Date of making	18/08/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Amendment Regulations 2005 (No. 6).</i>
Description of issue	Change the threshold value to \$1,000 in subparagraph 68(1)(f)(iii) of the Customs Act 1901.
Date of making	06/10/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Amendment Regulations 2005 (No. 7).</i>
Description of issue	Amendment to paragraphs 31AAA and 167 of the Customs Regulations 1926.
Date of making	10/11/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Amendment Regulations 2005 (No. 8).</i>
Description of issue	To amend Regulations 180 and to Schedule 1B in relation to inti dumping.
Date of making	23/11/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs (Prohibited Imports) Amendment Regulations 2006 (No. 1).</i>
Description of issue	These regulations prohibit the importation of mini-cup jelly confectionery.
Date of making	02/03/2006.
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs (Prohibited Imports) Amendment Regulations 2005 (No.2).</i>
Description of issue	To prohibit the importation of ammonium nitrate.
Date of making	21/07/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs (Prohibited Imports) Amendment Regulations 2005 (No.3).</i>
Description of issue	Amendment to item 18C of Schedule 2 to the <i>Customs (Prohibited Imports) Regulations 1956.</i>
Date of making	08/08/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
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Title	<i>Customs (Prohibited Imports) Amendment Regulations 2005 (No.4).</i>
Description of issue	Amendment to item 29A of Schedule 2 to the <i>Customs (Prohibited Imports) Regulations 1956.</i>
Date of making	10/11/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs (Prohibited Imports) Amendment Regulations 2005 (No.5).</i>
Description of issue	Amendment to item 26 of Schedule 1 of the <i>Customs (Prohibited Imports) Regulations 1956.</i>
Date of Making	10/11/2005.
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs (Prohibited Imports) Amendment Regulations 2005 (No.6).</i>
Description of issue	To prohibit the importation of certain chemicals into Australia.
Date of making	01/12/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs (Prohibited Exports) Amendment Regulations 2005 (No. 3).</i>
Description of issue	These Regulations prohibit the export of ammonium nitrate from Australia.
Date of making	21/07/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs (Prohibited Exports) Amendment Regulations 2005 (No.4).</i>
Description of issue	These Regulations prohibit the export of certain chemicals from Australia.
Date of making	01/12/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs (Prohibited Exports) Amendment Regulations 2005 (No.5).</i>
Description of issue	These Regulations control the exportation of high activity radioactive sources.
Date of making	15/12/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs (Prohibited Exports) Amendment Regulations 2006 (No.1).</i>
Description of issue	These Regulations prohibit the export of certain pesticides and chemicals.
Date of making	01/06/2006
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Tariff Amendment Act (No.1) 2005</i>
Description of issue	To introduce the Governments 2003-04 budget decisions on diesel, aviation fuels, biodiesel and biodiesel blends
Date of effect	06/07/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Tariff Amendment (Commonwealth Games) Act 2005</i>
Description of issue	enables the duty free importation of non-commercial goods by Commonwealth Games Family members for use in events associated with the Melbourne 2006 Commonwealth Games.
Date of effect	08/11/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Past regulatory change.
Title	<i>Customs Legislation Amendment (Import Processing Charges) Act 2005</i>
Description of issue	<i>Amend the Import Processing Charges Act 2001 to amend the charges in that Act including imposing different import declaration processing charges for goods imported by sea, air or post and technical amendments to the implementation and commencement provisions in the Customs Legislation Amendment and Repeal (International Trade Modernisation) Act 2001</i>
Date of effect	06/07/2005
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

ACTS:

PLANNED REGULATORY CHANGES

Type of entry	Future regulatory change.
Title	Customs Legislation Amendment (Modernising Import Controls and Other Measures) 2006
Description of issue	This Bill amends the Customs Act 1901, the Commerce (Trade Descriptions) Act 1905, the Cocos (Keeling) Islands Act 1955 and the Christmas Islands Act 1958 to enhance border controls, amend revenue collection methods and make other amendments
Consultation opportunities	Consultation occurred.
Expected timetable	Introduction in the 2006 Spring Sitting
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Future regulatory change.
Title	<i>Customs Legislation Amendment (Border Compliance and Other Measures) 2006</i>
Description of issue	amends the Customs Act 1901, the Commerce (Trade Descriptions) Act 1905, the Cocos (Keeling) Islands Act 1955 and the Christmas Islands Act 1958 to enhance border controls, amend revenue collection methods and make other amendments.
Consultation opportunities	Consultation occurred.
Expected timetable	Introduced into the House of Representatives on 29/03/2006
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Future regulatory change.
Title	<i>Customs Amendment (New Zealand Rules of Origin) Bill</i>
Description of issue	amends the Customs Act 1901 and the Customs Tariff Act 1995 to incorporate changes that will result from the amendment of Article 3 (Rules of Origin) of the Australia New Zealand Closer Economic Relations Trade Agreement
Consultation	Consultation occurred.

opportunities	
Expected timetable	Introduction in the 2006 Spring Sitting
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Future regulatory change.
Title	<i>Customs Tariff Amendment (New Zealand Rules of Origin) Bill</i>
Description of issue	amends the Customs Act 1901 and the Customs Tariff Act 1995 to incorporate changes that will result from the amendment of Article 3 (Rules of Origin) of the Australia New Zealand Closer Economic Relations Trade Agreement
Consultation opportunities	Consultation occurred.
Expected timetable	Introduction in the 2006 Spring Sitting
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820

Type of entry	Future regulatory change.
Title	<i>Customs Tariff Amendment (2007 Harmonized System Changes) Bill</i>
Description of issue	<i>amends the Customs Tariff Act 1995 as a result of the third review of the Harmonized Commodity Description and Coding System by the World Customs Organization</i>
Consultation opportunities	Consultation occurred.
Expected timetable	Introduction in the 2006 Spring Sitting
Contact details	Margaret Mahoney, Director Ministerial and Parliamentary Ph (02) 6245 5402 Fax (02) 6275 6820