# Customs and Other Legislation Amendment (Australian Border Force) Act 2015

# No. 41, 2015

**An Act to amend legislation relating to Customs and other legislation in relation to the enactment of the *Australian Border Force Act 2015*, and for related purposes**

Note: An electronic version of this Act is available in ComLaw (http://www.comlaw.gov.au/)

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# Customs and Other Legislation Amendment (Australian Border Force) Act 2015

**No. 41, 2015**

## An Act to amend legislation relating to Customs and other legislation in relation to the enactment of the *Australian Border Force Act 2015*, and for related purposes

[*Assented to 20 May 2015*]

The Parliament of Australia enacts:

## 1 Short title

This Act may be cited as the *Customs and Other Legislation Amendment (Australian Border Force) Act 2015*.

## 2 Commencement

(1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| **Commencement information** | | |
|---|---|---|
| **Column 1** | **Column 2** | **Column 3** |
| **Provisions** | **Commencement** | **Date/Details** |
| 1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table | The day this Act receives the Royal Assent. | 20 May 2015 |
| 2. Schedules 1 to 7 | At the same time as the *Australian Border Force Act 2015* commences. | 1 July 2015 |
| 3. Schedule 8, items 1 to 3 | The later of:<br>(a) immediately after the commencement of the *Australian Border Force Act 2015*; and<br>(b) immediately after the commencement of section 3 of the *Biosecurity Act 2015*.<br>However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. | |
| 4. Schedule 8, items 4 to 7 | The later of:<br>(a) the start of 1 July 2015; and<br>(b) immediately after the commencement of item 7 of Schedule 1 to the *Crimes Legislation Amendment (Psychoactive Substances and Other Measures) Act 2015*.<br>However, the provisions do not commence | |

| Commencement information | | |
|---|---|---|
| **Column 1** | **Column 2** | **Column 3** |
| **Provisions** | **Commencement** | **Date/Details** |
| | at all if the event mentioned in paragraph (b) does not occur. | |
| 5. Schedule 8, items 8 and 9 | Immediately after the commencement of item 13 of Schedule 6 to the *Counter-Terrorism Legislation Amendment (Foreign Fighters) Act 2014*. | 1 July 2015 |
| 6. Schedule 8, items 10 to 13 | The later of:<br>(a) the start of 1 July 2015; and<br>(b) immediately after the commencement of Schedule 2 to the *Telecommunications (Interception and Access) Amendment (Data Retention) Act 2015*.<br>However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. | 13 October 2015<br>(paragraph (b) applies) |
| 7. Schedule 9 | At the same time as the *Australian Border Force Act 2015* commences. | 1 July 2015 |

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

(2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

## 3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

# Schedule 1—Amendments of Customs Act

## Part 1—Amendments

### *Customs Act 1901*

#### 1 Subsection 4(1)

Insert:

> ***Australian Border Force Commissioner*** has the same meaning as in the *Australian Border Force Act 2015*.

#### 2 Subsection 4(1) (definition of *authorised officer*)

Repeal the definition, substitute:

> ***authorised officer***, in relation to a provision of this Act, means an officer of Customs authorised under subsection (1AA) to exercise the powers or perform the functions of an authorised officer under that provision.
>
> Note: See also subsection (1A).

#### 3 Subsection 4(1) (definition of *CEO*)

Repeal the definition.

#### 4 Subsection 4(1) (definition of *commercial document*)

Omit "Customs", substitute "the Department or a Collector".

#### 5 Subsection 4(1) (definition of *Commissioner*)

Repeal the definition.

#### 6 Subsection 4(1) (definition of *Commission staff member*)

Repeal the definition.

#### 7 Subsection 4(1)

Insert:

***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

## 8 Subsection 4(1) (definition of *export declaration*)

Omit "Customs", substitute "the Department".

## 9 Subsection 4(1) (definition of *import declaration*)

Omit "Customs", substitute "the Department".

## 10 Subsection 4(1) (definition of *Movement application*)

Omit "Customs control", substitute "customs control".

## 11 Subsection 4(1) (definition of *Officer*)

Repeal the definition.

## 12 Subsection 4(1)

Insert:

***officer*** means an officer of Customs.

## 13 Subsection 4(1) (definition of *Officer of Customs*)

Repeal the definition.

## 14 Subsection 4(1)

Insert:

***officer of Customs*** means:

(a) the Secretary of the Department; or

(b) the Australian Border Force Commissioner (including in his or her capacity as the Comptroller-General of Customs); or

(c) an APS employee in the Department; or

(d) a person authorised under subsection (1B) to exercise all the powers and perform all the functions of an officer of Customs; or

(e) a person who from time to time holds, occupies, or performs the duties of an office or position (whether or not in or for the Commonwealth) specified under subsection (1C), even if the

office or position does not come into existence until after it is so specified; or

(f) in relation to a provision of a Customs Act:

(i) a person authorised under subsection (1D) to exercise the powers or perform the functions of an officer of Customs for the purposes of that provision; or

(ii) a person who from time to time holds, occupies, or performs the duties of an office or position (whether or not in or for the Commonwealth) specified under subsection (1E) in relation to that provision, even if the office or position does not come into existence until after it is so specified.

## 15 Subsection 4(1) (paragraph (c) of the definition of *Prohibited goods*)

Omit "the control of the Customs", substitute "customs control".

## 16 Subsection 4(1) (definition of *self-assessed clearance declaration*)

Omit "Customs", substitute "the Department".

## 17 Subsection 4(1) (definition of *warehouse declaration*)

Omit "Customs", substitute "the Department".

## 18 After subsection 4(1)

Insert:

(1AA) The Comptroller-General of Customs may, by writing, authorise an officer of Customs to exercise the powers or perform the functions of an authorised officer under a specified provision of this Act.

## 19 Paragraph 4(1A)(a)

Repeal the paragraph, substitute:

(a) the Comptroller-General of Customs gives an authorisation under subsection (1AA); and

## 20 Paragraph 4(1A)(b)

Omit "sections", substitute "provisions".

## 21 Before subsection 4(2)

Insert:

(1B) For the purposes of paragraph (d) of the definition of ***officer of Customs*** in subsection (1), the Comptroller-General of Customs may, by writing, authorise a person to exercise all the powers and perform all the functions of an officer of Customs.

(1C) For the purposes of paragraph (e) of the definition of ***officer of Customs*** in subsection (1), the Comptroller-General of Customs may, by writing, specify an office or position (whether or not in or for the Commonwealth).

(1D) For the purposes of subparagraph (f)(i) of the definition of ***officer of Customs*** in subsection (1), the Comptroller-General of Customs may, by writing, authorise a person to exercise the powers or perform the functions of an officer of Customs for the purposes of a specified provision of a Customs Act.

(1E) For the purposes of subparagraph (f)(ii) of the definition of ***officer of Customs*** in subsection (1), the Comptroller-General of Customs may, by writing, specify an office or position (whether or not in or for the Commonwealth) in relation to a specified provision of a Customs Act.

## 22 Subsections 4A(1) and (1A)

Omit “CEO”, substitute “Comptroller-General of Customs”.

## 23 Subsections 4C(1), (2) and (3)

Omit “CEO”, substitute “Comptroller-General of Customs”.

## 24 Subsections 5A(1A), (2), (4) and (5)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

## 25 Subsections 5B(1A), (2), (4) and (5)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

## 26 Section 7

Repeal the section, substitute:

### 7 General administration of Act

The Comptroller-General of Customs has the general administration of this Act.

## 27 Section 8 (heading)

Repeal the heading, substitute:

### 8 Collectors, States and Northern Territory

## 28 Subsection 8(1)

Repeal the subsection, substitute:

(1) In this Act, a reference to the Collector, or to a Collector, is a reference to:
  (a) the Comptroller-General of Customs; or
  (b) any officer doing duty in the matter in relation to which the expression is used.

## 29 Section 8A

Omit “the Customs”, substitute “this Act”.

## 30 Section 13 (heading)

Repeal the heading, substitute:

### 13 Customs seal

## 31 Subsection 13(1)

Repeal the subsection, substitute:

(1) There is to be a seal, called the customs seal, the design of which must be determined by the Comptroller-General of Customs.

## 32 Paragraph 13(2)(b)

Repeal the paragraph, substitute:

(b) the words “Australia—Comptroller-General of Customs”.

### 33 Subsection 13(3)

Omit “Customs Seal shall”, substitute “customs seal must”.

### 34 Subsection 13(3)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 35 Subsection 13(4)

Omit “Customs Seal shall”, substitute “customs seal must”.

### 36 Subsection 13(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 37 Subsections 13(5) and (6)

Repeal the subsections.

### 38 Subsection 13(7)

Omit “Customs Seal, or of the mark of a Customs stamp,”, substitute “customs seal”.

### 39 Subsection 13(7)

Omit “or mark, as the case may be,”.

### 40 Section 14 (heading)

Repeal the heading, substitute:

**14 Flag**

### 41 Section 14

Omit “Customs”, substitute “Australian Border Force (within the meaning of the *Australian Border Force Act 2015*)”.

### 42 Subsections 15(1), (1A) and (2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 43 Section 17

Repeal the section.

### 44 Section 19

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 45 Subsections 20(1), (2) and (3)

Omit “a Customs officer”, substitute “an officer of Customs”.

### 46 Paragraph 20(4)(b)

Omit “Customs officers”, substitute “officers of Customs”.

### 47 Paragraph 20(5)(a)

Omit “a Customs officer”, substitute “an officer of Customs”.

### 48 Subsection 20(8) (subparagraph (b)(i) of the definition of *waterfront area*)

Omit “Customs control”, substitute “customs control”.

### 49 Section 27

Repeal the section.

### 50 Subsections 28(2) and (4)

Omit “Customs”, substitute “the Commonwealth”.

### 51 Subsection 30(1)

Omit “the control of the Customs”, substitute “customs control”.

### 52 Subsections 30A(2), (3), (4) and (5)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 53 Section 31 (heading)

Repeal the heading, substitute:

### 31 Goods on ships and aircraft subject to customs control

### 54 Section 31

Omit “the control of the Customs”, substitute “customs control”.

### 55 Section 33 (heading)

Repeal the heading, substitute:

### 33 Persons not to move goods subject to customs control

### 56 Paragraphs 33(1)(a), (2)(a), (3)(a), (5)(a) and (6)(a)

Omit “the control of Customs”, substitute “customs control”.

### 57 Subsection 33(8) (note 1)

Omit “Customs control” (wherever occurring), substitute “customs control”.

### 58 Section 33A (heading)

Repeal the heading, substitute:

### 33A Resources installations subject to customs control

### 59 Subsection 33A(1)

Omit “the control of the Customs”, substitute “customs control”.

### 60 Subsection 33A(2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 61 Subsection 33A(2)

Omit “the control of the Customs”, substitute “customs control”.

### 62 Subsection 33A(4)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 63 Subsection 33A(4)

Omit “the control of Customs”, substitute “customs control”.

## 64 Section 33B (heading)

Repeal the heading, substitute:

### 33B Sea installations subject to customs control

## 65 Subsection 33B(1)

Omit “the control of the Customs”, substitute “customs control”.

## 66 Subsection 33B(2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

## 67 Subsection 33B(2)

Omit “the control of the Customs”, substitute “customs control”.

## 68 Subsection 33B(4)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

## 69 Subsection 33B(4)

Omit “the control of the Customs”, substitute “customs control”.

## 70 Section 34

Omit “The Customs”, substitute “The Commonwealth”.

## 71 Section 34

Omit “the control of the Customs”, substitute “customs control”.

## 72 Section 35

Omit “the control of the Customs”, substitute “customs control”.

## 73 Subsection 35A(1)

Omit “the control of the Customs”, substitute “customs control”.

## 74 Paragraphs 35A(1A)(a) and (1B)(a)

Omit “the control of the Customs”, substitute “customs control”.

### 75 Paragraphs 36(1)(a), (2)(a), (4)(a), (5)(a), (6)(a) and (7)(a)

Omit “the control of the Customs”, substitute “customs control”.

### 76 Subsection 42(1)

Omit “The Customs”, substitute “The Commonwealth”.

### 77 Subsection 42(1)

Omit “revenue of the Customs”, substitute “revenue”.

### 78 Subsection 42(1)

Omit “the control of the Customs”, substitute “customs control, an officer of Customs”.

### 79 Subsections 42(1A) and (1B)

Omit “of the Customs”, substitute “of the Commonwealth”.

### 80 Paragraph 42(1B)(a)

After “Commissioner”, insert “(within the meaning of Part XVB)”.

### 81 Subsection 42(1C)

Omit “the Customs may”, substitute “the Commonwealth may”.

### 82 Subsections 42(1D) and (2)

Omit “of the Customs”, substitute “of the Commonwealth”.

### 83 Subsection 42(3)

Omit “rights of the Customs”, substitute “rights of the Commonwealth”.

### 84 Subsection 42(3)

Omit “behalf of the Customs”, substitute “behalf of the Commonwealth”.

### 85 Section 44 (heading)

Repeal the heading, substitute:

### 44 General securities may be given

### 86 Section 44

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 87 Section 45 (heading)

Repeal the heading, substitute:

### 45 Cancellation of securities

### 88 Subsection 45(1)

Omit “Customs”.

### 89 Subsection 45(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 90 Subparagraphs 45(3A)(a)(ii) and (b)(ii)

After “Commissioner”, insert “(within the meaning of Part XVB)”.

### 91 Section 46 (heading)

Repeal the heading, substitute:

### 46 New securities

### 92 Section 47 (heading)

Repeal the heading, substitute:

### 47 Form of security

### 93 Section 47

Omit “Customs”.

### 94 Section 48 (heading)

Repeal the heading, substitute:

## 48 Effect of security

### 95 Subsection 48(1)

Omit “Customs”.

### 96 Subsection 48(2)

Omit “Customs” (first occurring).

### 97 At the end of paragraph 48(2)(a)

Add “or”.

### 98 Paragraph 48(2)(b)

Omit “the Customs”, substitute “the Commonwealth”.

### 99 Paragraph 58A(6)(c)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 100 Paragraph 58B(6)(c)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 101 Paragraph 60(2)(b)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 102 Section 63A (paragraph (b) of the definition of *notified premises*)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 103 Subsections 64(2) and (4)

Omit “Customs”, substitute “the Department”.

### 104 Paragraph 64(9)(c)

Omit “Customs”, substitute “the Department”.

### 105 Subsection 64(11)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 106 Subsection 64AA(2)

Omit “Customs”, substitute “the Department”.

### 107 Subsection 64AA(3A)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 108 Subsection 64AA(5)

Omit “Customs”, substitute “the Department”.

### 109 Paragraph 64AA(6)(c)

Omit “Customs”, substitute “the Department”.

### 110 Subsection 64AA(8)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 111 Subsection 64AAA(2)

Omit “Customs”, substitute “the Department”.

### 112 Subsection 64AAA(3A)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 113 Paragraph 64AAA(5)(c)

Omit “Customs”, substitute “the Department”.

### 114 Subsection 64AAA(7)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 115 Section 64AAB (heading)

Repeal the heading, substitute:

**64AAB Notifying Department of particulars of cargo reporters**

### 116 Subsection 64AAB(2)

Omit “Customs”, substitute “the Department”.

### 117 Subsection 64AAB(5)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 118 Section 64AAC (heading)

Repeal the heading, substitute:

**64AAC Report to Department of persons engaged to unload cargo**

### 119 Subsection 64AAC(2)

Omit “Customs”, substitute “the Department”.

### 120 Subsection 64AAC(5)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 121 Subsections 64AB(2) and (2A)

Omit “Customs”, substitute “the Department”.

### 122 Subsection 64AB(6)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 123 Subsections 64ABAA(1), (2) and (3)

Omit “Customs” (wherever occurring), substitute “the Department”.

### 124 Subsection 64ABAA(4)

Omit “to Customs”, substitute “to the Department”.

### 125 Subsection 64ABAA(6)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 126 Subsection 64ABAA(7)

Omit “The CEO or an officer”, substitute “An officer”.

### 127 Subsection 64ABAA(7)

Omit “to Customs”, substitute “to the Department”.

### 128 Section 64ABAB (heading)

Repeal the heading, substitute:

### 64ABAB When outturn report is to be communicated to Department

### 129 Subsections 64ABAB(1), (3) and (4)

Omit "to Customs", substitute "to the Department".

### 130 Subsection 64ACA(1)

Omit "Customs", substitute "the Department".

### 131 Subsection 64ACA(1) (note 1)

Omit "(and the obligation in subsection (11))".

### 132 Subsection 64ACA(1) (note 2)

Omit "to the Migration Department", substitute "under the *Migration Act 1958*".

### 133 Paragraphs 64ACA(2)(a) and (b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 134 Paragraph 64ACA(7)(e)

Omit "Customs", substitute "the Department".

### 135 Subsection 64ACA(9)

Omit "CEO", substitute "Comptroller-General of Customs".

### 136 Subsection 64ACA(11)

Repeal the subsection.

### 137 Subsection 64ACA(12)

Repeal the subsection, substitute:

*Purpose for which information obtained*

(12) Information obtained by the Department under this section is taken to be obtained by the Department for the purposes of the administration of this Act, the *Migration Act 1958*, and any other law of the Commonwealth prescribed by regulations for the purposes of this subsection.

### 138 Subsection 64ACB(1)

Omit "Customs", substitute "the Department".

### 139 Subsection 64ACB(1) (note 1)

Omit "(and the obligation in subsection (8))".

### 140 Subsection 64ACB(1) (note 2)

Omit "to the Migration Department", substitute "under the *Migration Act 1958*".

### 141 Paragraph 64ACB(5)(e)

Omit "Customs", substitute "the Department".

### 142 Subsection 64ACB(7)

Omit "CEO", substitute "Comptroller-General of Customs".

### 143 Subsection 64ACB(8)

Repeal the subsection.

### 144 Subsection 64ACB(9)

Repeal the subsection, substitute:

*Purpose for which information obtained*

(9) Information obtained by the Department under this section is taken to be obtained by the Department for the purposes of the administration of this Act, the *Migration Act 1958*, and any other law of the Commonwealth prescribed by regulations for the purposes of this subsection.

### 145 Section 64ACC (heading)

Repeal the heading, substitute:

### 64ACC Information does not have to be reported if it has already been reported under the *Migration Act 1958*

#### 146 Subsection 64ACE(1)

Omit "to Customs" (wherever occurring), substitute "to the Department".

#### 147 Subsection 64ACE(1)

Omit "by Customs", substitute "by an officer".

#### 148 Subsection 64ACE(2)

Omit "to Customs" (wherever occurring), substitute "to the Department".

#### 149 Section 64ADAA (heading)

Repeal the heading, substitute:

### 64ADAA Requirements for communicating to Department electronically

#### 150 Section 64ADAA

Omit "Customs", substitute "the Department".

#### 151 Subsection 64ADA(1)

Omit "The CEO or an officer", substitute "An officer".

#### 152 Paragraph 64AF(1)(a)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 153 Subsection 65(1)

Omit "at the Customs house nearest to the place where the ship was lost or wrecked or at the chief Customs house of the State where the ship was lost or wrecked".

### 154 Subsection 65(2)

Omit “, as far as it may be possible for him or her to do so, at the Customs House nearest to the place where the aircraft was lost or wrecked”, substitute “so far as it may be possible for him or her to do so”.

### 155 Subsection 67EB(1)

Omit “The CEO”, substitute “The Comptroller-General of Customs”.

### 156 Paragraph 67EB(1)(b)

Omit “Customs”, substitute “the Comptroller-General of Customs”.

### 157 Paragraph 67EB(1)(d)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 158 Paragraph 67EB(1)(e)

Omit “CEO’s opinion”, substitute “opinion of the Comptroller-General of Customs”.

### 159 Subsection 67EB(2)

Omit “Customs”, substitute “the Comptroller-General of Customs”.

### 160 Subsection 67EB(3)

Omit “The CEO”, substitute “The Comptroller-General of Customs”.

### 161 Subparagraph 67EB(3)(d)(ii)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 162 Subsection 67EB(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 163 Subsection 67EC(4)

Omit “with Customs”, substitute “with the Department”.

### 164 Subsection 67EC(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 165 Subsections 67ED(1), (2), (3), (4) and (5)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 166 Subsection 67EE(2)

Omit "CEO", substitute "Comptroller-General of Customs".

### 167 Paragraphs 67EF(1)(a) and (b)

Omit "Customs", substitute "the Department".

### 168 Subsection 67EF(2)

Omit "CEO", substitute "Comptroller-General of Customs".

### 169 Subsections 67EF(4) and (5)

Omit "Customs" (wherever occurring), substitute "an officer of Customs".

### 170 Paragraph 67EG(b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 171 Paragraph 67EJ(a)

Omit "CEO", substitute "Comptroller-General of Customs".

### 172 Paragraph 67EK(1)(b)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 173 Subsections 67EK(4) to (12)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 174 Section 67EL (heading)

Repeal the heading, substitute:

### 67EL Comptroller-General of Customs to allocate a special identifying code for each special reporter

#### 175 Section 67EL

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

#### 176 Subsection 67EM(1)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

#### 177 Paragraph 67EM(3)(b)

Omit "Customs", substitute "the Comptroller-General of Customs".

#### 178 Paragraph 67EM(3)(c)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 179 Subsection 67EM(4)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

#### 180 Subsection 67EM(5)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 181 Paragraphs 67EM(5)(a) and (b)

Omit "CEO's decision" (wherever occurring), substitute "decision of the Comptroller-General of Customs".

#### 182 Subsection 67EM(6)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

#### 183 Subsections 67G(1), (2), (3) and (4)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 184 Subsections 67H(1), (2) and (3)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 185 Section 67I (heading)

Repeal the heading, substitute:

**67I Obligation of re-mail reporters to notify Comptroller-General of Customs of certain matters**

### 186 Section 67I

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 187 Subsections 67J(1) and (2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 188 Subsections 67K(1) and (2)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 189 Subsections 68(3A) and (3B)

Omit “Customs”, substitute “the Department”.

### 190 Subsections 70(2) and (3)

Omit “apply to Customs”, substitute “apply to the Collector”.

### 191 Paragraph 70(3)(a)

Omit “Customs control”, substitute “customs control”.

### 192 Subsection 70(4)

Omit “an officer of Customs”, substitute “the Collector”.

### 193 Subsection 70(5)

Omit “Customs”, substitute “the Collector”.

### 194 Subsection 70(6)

Omit “an officer of Customs”, substitute “the Collector”.

### 195 Paragraphs 70(7)(a) and (b)

Omit “Customs”, substitute “the Department”.

### 196 Subsection 70(8)

Omit “an officer of Customs”, substitute “the Collector”.

### 197 Subsection 70(8)

Omit “the officer”, substitute “the Collector”.

### 198 Subsection 70(9)

Omit “Customs”, substitute “the Department”.

### 199 Subsection 71(1)

Omit “Customs”, substitute “the Department”.

### 200 Subsections 71(2) and (3)

Omit “Customs”, substitute “A Collector”.

### 201 Subsections 71AAAB(2) and (3)

Omit “Customs”, substitute “a Collector”.

### 202 Subsection 71AAAB(4)

Omit “Customs”, substitute “A Collector”.

### 203 Paragraph 71AAAC(1)(a)

Omit “Customs”, substitute “a Collector”.

### 204 Subsections 71AAAF(1) and (2)

Omit “Customs”, substitute “the Department”.

### 205 Section 71AAAG (heading)

Repeal the heading, substitute:

### 71AAAG Collector's response if a self-assessed clearance declaration is communicated separately from a cargo report

#### 206 Subsection 71AAAG(1)

Omit "to Customs", substitute "to the Department".

#### 207 Subsection 71AAAG(1)

Omit "Customs must", substitute "a Collector must".

#### 208 Paragraph 71AAAG(2)(a)

Omit "Customs", substitute "a Collector".

#### 209 Section 71AAAH (heading)

Repeal the heading, substitute:

### 71AAAH Collector's response if a self-assessed clearance declaration is communicated together with a cargo report

#### 210 Section 71AAAH

Omit "Customs", substitute "a Collector".

#### 211 Subsection 71AAAI(1)

Omit "Customs" (wherever occurring), substitute "a Collector".

#### 212 Subsection 71AAAI(1) (note 1)

Omit "Customs", substitute "a Collector".

#### 213 Subsection 71AAAI(1) (note 2)

Omit "Customs", substitute "A Collector".

#### 214 Subsection 71AAAI(2)

Omit "If Customs", substitute "If the Department".

#### 215 Subsection 71AAAI(2)

Omit "Customs must", substitute "a Collector must".

### 216 Paragraph 71AAAI(2)(a)

Omit “Customs”, substitute “a Collector”.

### 217 Subsection 71AAAI(2) (note 1)

Omit “Customs”, substitute “a Collector”.

### 218 Subsection 71AAAI(2) (note 2)

Omit “Customs”, substitute “A Collector”.

### 219 Section 71AAAK

Omit “Customs”, substitute “A Collector”.

### 220 Subsection 71AAAL(1)

Omit “Customs”, substitute “A Collector”.

### 221 Paragraph 71AAAM(1)(a)

Omit “Customs”, substitute “a Collector”.

### 222 Subsection 71AAAO(1)

Omit “Customs”, substitute “A Collector”.

### 223 Subsections 71AAAO(4), (6) and (8)

Omit “Customs”, substitute “a Collector”.

### 224 Subsection 71AAAP(5)

Omit “Customs”, substitute “the Department”.

### 225 Paragraph 71AAAP(6)(a)

Omit “Customs”, substitute “the Department”.

### 226 Paragraph 71AAAP(6)(c)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 227 Section 71AAAS (heading)

Repeal the heading, substitute:

### 71AAAS Annotation of self-assessed clearance declaration by Collector for certain purposes not to constitute withdrawal

#### 228 Section 71AAAS

Omit “Customs” (wherever occurring), substitute “a Collector”.

#### 229 Section 71AAAT (heading)

Repeal the heading, substitute:

### 71AAAT Manner and effect of communicating self-assessed clearance declarations to Department

#### 230 Subsection 71AAAT(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

#### 231 Subsection 71AAAT(2)

Omit “Customs” (first occurring), substitute “the Department”.

#### 232 Paragraph 71AAAT(2)(a)

Omit “Customs”, substitute “a Collector”.

#### 233 Paragraph 71AAAT(2)(b)

Omit “to Customs”, substitute “to the Department”.

#### 234 Paragraph 71AAAT(2)(b)

Omit “when Customs”, substitute “when a Collector”.

#### 235 Subsection 71AAAT(3)

Omit “to Customs”, substitute “to the Department”.

#### 236 Subsection 71AAAT(3)

Omit “by Customs”, substitute “by a Collector”.

#### 237 Subsection 71A(1)

Omit “Customs”, substitute “the Department”.

## 238 Subsection 71A(3)

Repeal the subsection, substitute:

(3) A documentary import declaration must be communicated to the Department:

(a) by giving or sending it to an officer doing duty in relation to import declarations at the place at which the goods are to be delivered for home consumption; or

(b) by leaving it at a place:

(i) that has been allocated for lodgement of import declarations by notice published on the Department's website; and

(ii) that is where the goods are to be delivered for home consumption.

## 239 Subsections 71A(5), (7) and (8)

Omit "Customs" (wherever occurring), substitute "the Department".

## 240 Subsection 71B(1)

Omit "Customs", substitute "the Department".

## 241 Subsection 71BA(1)

Omit "by Customs".

## 242 Subsection 71C(1)

Omit "communicated to Customs, Customs", substitute "communicated to the Department, a Collector".

## 243 Paragraph 71C(2)(a)

Omit "in a Customs office that has been allocated for collection of such advices", substitute "that has been allocated for collection of such advices by notice published on the Department's website".

## 244 Paragraph 71C(3)(a)

Omit "Customs", substitute "a Collector".

## 245 Subsection 71C(4)

Omit "Customs", substitute "a Collector".

## 246 Subsection 71C(5)

Omit “Customs”, substitute “A Collector”.

## 247 Subsection 71C(6)

Omit “Customs must”, substitute “A Collector must”.

## 248 Subsection 71C(6)

Omit “require Customs”, substitute “require a Collector”.

## 249 Subsection 71C(7)

Omit “Customs must”, substitute “A Collector must”.

## 250 Paragraph 71C(7)(a)

Omit “Customs”, substitute “a Collector”.

## 251 Subsections 71D(1) and (2)

Omit “Customs”, substitute “the Department”.

## 252 Subsection 71DH(1)

Omit “Customs”, substitute “the Department”.

## 253 Subsection 71DH(3)

Repeal the subsection, substitute:

(3) A documentary warehouse declaration must be communicated to the Department:
  (a) by giving or sending it to an officer doing duty in relation to warehouse declarations at the place at which the goods are to be delivered for warehousing; or
  (b) by leaving it at a place:
    (i) that has been allocated for lodgement of warehouse declarations by notice published on the Department’s website; and
    (ii) that is where the goods are to be delivered for warehousing.

## 254 Subsections 71DH(5), (7) and (8)

Omit “Customs” (wherever occurring), substitute “the Department”.

### 255 Subsection 71DI(1)

Omit “Customs”, substitute “the Department”.

### 256 Subsection 71DJ(1)

Omit “communicated to Customs, Customs”, substitute “communicated to the Department, a Collector”.

### 257 Paragraph 71DJ(2)(a)

Omit “in a Customs office that has been allocated for collection of such advices”, substitute “that has been allocated for collection of such advices by notice published on the Department’s website”.

### 258 Paragraph 71DJ(3)(a)

Omit “Customs”, substitute “a Collector”.

### 259 Subsection 71DJ(4)

Omit “Customs”, substitute “a Collector”.

### 260 Subsection 71DJ(5)

Omit “Customs”, substitute “A Collector”.

### 261 Subsections 71DK(1) and (2)

Omit “Customs”, substitute “the Department”.

### 262 Subsection 71E(1)

Omit “Customs control”, substitute “customs control”.

### 263 Subsection 71E(1)

Omit “made to Customs”, substitute “made to the Department”.

### 264 Paragraph 71E(2)(b)

Omit “communicated to Customs”, substitute “communicated to the Department”.

### 265 Paragraph 71E(2)(b)

Omit “Customs control”, substitute “customs control”.

### 266 Subparagraph 71E(2C)(b)(i)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 267 Subsection 71E(3)

Omit “Customs”, substitute “the Department”.

### 268 Subsection 71E(4)

Omit “Customs control”, substitute “customs control”.

### 269 Subsection 71E(6)

Omit “Customs has a”, substitute “the Commonwealth has a”.

### 270 Subsections 71F(1), (2), (3), (6) and (7)

Omit “Customs” (wherever occurring), substitute “the Department”.

### 271 Paragraph 71F(7)(c)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 272 Section 71J (heading)

Repeal the heading, substitute:

**71J Annotation of import entry by Collector for certain purposes not to constitute withdrawal**

### 273 Section 71J

Omit “Customs” (wherever occurring), substitute “a Collector”.

### 274 Section 71K (heading)

Repeal the heading, substitute:

**71K Manner of communicating with Department by document**

### 275 Subsection 71K(1)

Omit “Customs”, substitute “the Department”.

### 276 Subsection 71K(2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 277 Section 71L (heading)

Repeal the heading, substitute:

**71L Manner and effect of communicating with Department electronically**

### 278 Subsection 71L(1)

Omit “Customs”, substitute “the Department”.

### 279 Subsection 71L(2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 280 Subsection 71L(3)

Omit “to Customs”, substitute “to the Department”.

### 281 Subsection 71L(3)

Omit “by Customs”, substitute “by a Collector”.

### 282 Subsection 71L(4)

Omit “Customs”, substitute “the Department”.

### 283 Subsection 71L(5)

Omit “to Customs”, substitute “to the Department”.

### 284 Subsection 71L(5)

Omit “by Customs”, substitute “by a Collector”.

### 285 Section 71M (heading)

Repeal the heading, substitute:

**71M Requirements for communicating to Department electronically**

### 286 Section 71M

Omit “Customs”, substitute “the Department”.

### 287 Paragraph 74(3)(b)

Omit “Customs”, substitute “the Department”.

### 288 Subsections 77AA(1), (2), (3) and (4)

Omit "Customs" (wherever occurring), substitute "a Collector".

### 289 Subsection 77AA(5)

Omit "to Customs", substitute "to the Department".

### 290 Subsection 77AA(5)

Omit "Customs" (second and third occurring), substitute "a Collector".

### 291 Subsection 77EA(1)

Omit "Customs", substitute "a Collector".

### 292 Section 77EC (heading)

Repeal the heading, substitute:

**77EC Detention of goods by Collector**

### 293 Section 77EC

Omit "Customs" (wherever occurring), substitute "a Collector".

### 294 Subsection 77EF(4)

Omit "Customs", substitute "a Collector".

### 295 Subsection 77F(1) (definition of *International Mail Centre*)

Omit "a place approved in writing by the CEO under this section", substitute "a place approved in an instrument under subsection (1A)".

### 296 After subsection 77F(1)

Insert:

(1A) For the purposes of the definition of ***International Mail Centre*** in subsection (1), the Comptroller-General of Customs may, by writing, approve a place as a place for the examination of international mail.

### 297 Subsection 77G(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 298 Paragraphs 77G(1)(a) and (c)

Omit "the control of the Customs", substitute "customs control".

### 299 Section 77J (heading)

Repeal the heading, substitute:

**77J Comptroller-General of Customs may require applicant to supply further information**

### 300 Subsections 77J(1), (2) and (3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 301 Subsection 77K(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 302 Subsection 77K(1)

Omit "the CEO's opinion", substitute "his or her opinion".

### 303 Paragraph 77K(1)(i)

Omit "Customs", substitute "an officer of Customs".

### 304 Subsections 77K(2) and (3)

Omit "CEO", substitute "Comptroller-General of Customs".

### 305 Subsection 77K(4)

Omit "CEO", substitute "Comptroller-General of Customs".

### 306 Subsection 77K(4)

Omit "the CEO's opinion", substitute "his or her opinion".

### 307 Subsection 77K(4)

Omit "for Customs", substitute "for those officers".

### 308 Subsection 77K(5)

Omit "CEO", substitute "Comptroller-General of Customs".

### 309 Subsection 77K(5)

Omit “Customs”, substitute “the Department”.

### 310 Subsections 77L(1) and (2)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 311 Subsection 77LA(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 312 Subsection 77LA(3)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 313 Subsection 77LA(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 314 Subsection 77LA(4)

Omit “the CEO’s opinion”, substitute “his or her opinion”.

### 315 Paragraph 77LA(4)(b)

Omit “Customs”, substitute “an officer of Customs”.

### 316 Subsection 77LA(5)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 317 Subsection 77LA(5)

Omit “the CEO’s opinion”, substitute “his or her opinion”.

### 318 Subsection 77LA(5)

Omit “officers who regularly perform their functions for Customs would be able conveniently to check”, substitute “officers of Customs regularly perform their functions for those officers to be able to conveniently check”.

### 319 Subsections 77LA(6) and (7)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 320 Subsections 77N(2) and (2A)

Omit "CEO", substitute "Comptroller-General of Customs".

### 321 Subsection 77N(3)

Omit "to Customs", substitute "to the Commonwealth".

### 322 Paragraphs 77N(6)(a) and (b)

Omit "the control of the Customs", substitute "customs control".

### 323 Subsection 77N(7)

Omit "the control of the Customs", substitute "customs control".

### 324 Paragraph 77N(9)(b)

Omit "Customs", substitute "the Department".

### 325 Paragraph 77P(1)(b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 326 Section 77Q (heading)

Repeal the heading, substitute:

**77Q Comptroller-General of Customs may impose additional conditions to which a depot licence is subject**

### 327 Subsections 77Q(1), (1A), (1B), (2) and (3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 328 Subsection 77T(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 329 Subsection 77T(3)

Omit "the control of the Customs", substitute "customs control".

### 330 Subsections 77V(1), (2), (3), (5) and (7)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 331 Paragraph 77VA(2)(a)

Omit “the control of Customs”, substitute “customs control”.

### 332 Paragraph 77VA(2)(f)

Omit “Customs”, substitute “the Commonwealth”.

### 333 Paragraph 77VA(2)(f)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 334 Section 77VB

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 335 Subsections 77VC(1), (2) and (4)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 336 Subsection 77VC(5)

Omit “Customs”, substitute “an officer of Customs”.

### 337 Paragraphs 77X(2)(a) and (d)

Omit “the control of the Customs”, substitute “customs control”.

### 338 Paragraph 77X(2)(h)

Omit “Customs”, substitute “the Commonwealth”.

### 339 Paragraph 77X(2)(h)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 340 Paragraph 77X(2)(j)

Omit “Customs”, substitute “the Commonwealth”.

### 341 Paragraph 77X(2)(j)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 342 Section 77Y (heading)

Repeal the heading, substitute:

**77Y Collector may give directions in relation to goods subject to customs control**

### 343 Subsection 77Y(1)

Omit “the control of the Customs”, substitute “customs control”.

### 344 Subsection 78(2)

Repeal the subsection.

### 345 Subsection 79(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 346 Paragraphs 80(d) and (e)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 347 Section 80A (heading)

Repeal the heading, substitute:

**80A Comptroller-General of Customs may require applicant to supply further information**

### 348 Subsections 80A(1), (2) and (3)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 349 Subsection 81(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 350 Paragraph 81(1)(g)

Omit “the Customs”, substitute “an officer of Customs”.

### 351 Subsections 81(2) and (3)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 352 Subsections 81A(1) and (2)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 353 Subsections 81B(1) and (3)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 354 Subsection 81B(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 355 Subsection 81B(4)

Omit “the CEO’s opinion”, substitute “his or her opinion”.

### 356 Paragraph 81B(4)(c)

Omit “Customs”, substitute “an officer of Customs”.

### 357 Subsection 81B(5)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 358 Subsection 81B(5)

Omit “the CEO’s opinion”, substitute “his or her opinion”.

### 359 Subsection 81B(5)

Omit “for Customs”.

### 360 Subsections 81B(6) and (7)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 361 Subsections 82(1), (3) and (5)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 362 Section 82A (heading)

Repeal the heading, substitute:

### 82A Comptroller-General of Customs may impose additional conditions to which a warehouse licence is subject

#### 363 Subsections 82A(1) and (2)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

#### 364 Section 82B (heading)

Repeal the heading, substitute:

### 82B Comptroller-General of Customs may vary the conditions to which a warehouse licence is subject

#### 365 Subsection 82B(1)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 366 Paragraph 82B(2)(b)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 367 Paragraph 83(2)(e)

Omit "the Customs", substitute "the Commonwealth".

#### 368 Paragraph 83(2)(e)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 369 Paragraph 83(2)(g)

Omit "the Customs", substitute "the Commonwealth".

#### 370 Paragraph 83(2)(g)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 371 Subsection 83(3)

Omit "the CEO shall", substitute "the Comptroller-General of Customs must".

#### 372 Paragraph 83(3)(a)

Repeal the paragraph, substitute:

(a) published on the Department's website; and

### 373 Paragraph 83(3)(d)

Omit "CEO", substitute "Comptroller-General of Customs".

### 374 Subsections 83(4) and (5)

Omit "CEO", substitute "Comptroller-General of Customs".

### 375 Subsections 84(1) and (3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 376 Subsections 86(1), (1A), (1B), (3) and (5)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 377 Paragraph 86(7)(f)

Omit "the Customs", substitute "the Commonwealth".

### 378 Paragraph 86(7)(f)

Omit "CEO", substitute "Comptroller-General of Customs".

### 379 Subsections 87(1), (1A) and (2)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 380 Subsection 87(4)

Omit "if the CEO", substitute "if the Comptroller-General of Customs".

### 381 Paragraph 87(4)(a)

Repeal the paragraph, substitute:

(a) published on the Department's website; and

### 382 Paragraph 87(4)(d)

Omit "CEO", substitute "Comptroller-General of Customs".

### 383 Subsections 87(5), (6) and (7)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 384 Paragraph 96B(3)(b)

Omit “clearance through Customs”, substitute “clearance under this Act”.

### 385 Paragraph 99(3)(c)

Omit “Customs”, substitute “a Collector”.

### 386 Section 100 (heading)

Repeal the heading, substitute:

**100 Entry of goods without warehousing with permission of Collector**

### 387 Subsection 100(1)

Omit “Customs”, substitute “the Department”.

### 388 Paragraph 100(3)(a)

Omit “Customs”, substitute “the Department”.

### 389 Subsection 100(5)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 390 Subsection 100(6)

Omit “Customs”, substitute “A Collector”.

### 391 Section 102A (heading)

Repeal the heading, substitute:

**102A Notices to Department by holder of warehouse licence**

### 392 Subsections 102A(2) and (3)

Omit “Customs”, substitute “the Department”.

### 393 Section 102B (paragraphs (a), (b) and (c) of the definition of *cargo handler*)

Omit “Customs control”, substitute “customs control”.

### 394 Section 102B (definition of *establishment identification*)

Omit “Customs”, substitute “a Collector”.

### 395 Paragraph 102BA(1)(d)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 396 Section 102C (heading)

Repeal the heading, substitute:

**102C Notifying Department of cargo terminal**

### 397 Subsection 102C(1)

Omit “Customs”, substitute “the Department”.

### 398 Paragraph 102C(2)(a)

Omit “Customs”, substitute “the Comptroller-General of Customs”.

### 399 Subsection 102CA(3)

Omit “Customs”, substitute “the Department”.

### 400 Subsection 102CB(1)

Omit “Customs”, substitute “an officer of Customs”.

### 401 Subsection 102CC(1)

Omit “notify Customs”, substitute “notify the Department”.

### 402 Paragraphs 102CC(1)(a), (b), (c), (d) and (e)

Omit “Customs control”, substitute “customs control”.

### 403 Subsection 102CD(1)

Omit “Customs”, substitute “the Department”.

### 404 Section 102CG

Omit “Customs control”, substitute “customs control”.

### 405 Section 102CJ (heading)

Repeal the heading, substitute:

**102CJ Comptroller-General of Customs may impose additional obligations**

### 406 Section 102CJ

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 407 Section 102DB

Omit “Customs control”, substitute “customs control”.

### 408 Section 102DC (heading)

Repeal the heading, substitute:

**102DC Using establishment identification when communicating with Department**

### 409 Subsection 102DC(1)

Omit “Customs”, substitute “the Department”.

### 410 Section 102DD (heading)

Repeal the heading, substitute:

**102DD Comptroller-General of Customs may impose additional obligations**

### 411 Section 102DD

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 412 Paragraphs 102E(3)(a), (b), (c), (d) and (e)

Omit “Customs control”, substitute “customs control”.

### 413 Paragraphs 102EB(3)(a), (b) and (c) and (5)(a) and (b)

Omit “Customs control”, substitute “customs control”.

### 414 Subsection 102F(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 415 Subsection 102F(1)

Omit “Customs control”, substitute “customs control”.

### 416 Subsection 102F(2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 417 Subsection 102F(2)

Omit “Customs control”, substitute “customs control”.

### 418 Subsection 102F(3)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 419 Section 105 (heading)

Repeal the heading, substitute:

**105 Certain customable beverage not to be entered for home consumption in bulk containers without approval of Comptroller-General of Customs**

### 420 Subsections 105(1) and (2)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 421 Section 105A (heading)

Repeal the heading, substitute:

**105A Delivery from customs control of brandy, whisky or rum**

### 422 Subsection 105A(1)

Omit “the control of the Customs”, substitute “customs control”.

### 423 Paragraph 105B(1)(c)

Omit “the control of the Customs”, substitute “customs control”.

### 424 Paragraph 105C(1)(c)

Omit “the control of the Customs”, substitute “customs control”.

### 425 Paragraphs 105C(2)(a) and (b)

Omit “Customs”, substitute “the Department”.

### 426 Paragraph 105D(1)(c)

Omit “the control of the Customs”, substitute “customs control”.

### 427 Section 105E

Omit “the control of the Customs”, substitute “customs control”.

### 428 Subsection 106B(1)

Omit “Customs”, substitute “the Department”.

### 429 Subsection 106C(1)

Omit “Customs”, substitute “the Department”.

### 430 Subsection 106D(1)

Omit “Customs”, substitute “the Department”.

### 431 Section 106F

Omit “Customs”, substitute “the Department”.

### 432 Subparagraphs 106G(1)(a)(i) and (ii)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 433 Subsection 106G(2)

Omit “Customs when Customs”, substitute “the Department when a Collector”.

### 434 Subsection 106G(3)

Omit “Customs”, substitute “the Department”.

### 435 Subsection 106G(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 436 Paragraph 106H(1)(g)

Omit “Customs”, substitute “the Department”.

### 437 Subsection 106H(2)

Omit “Customs”, substitute “the Department”.

### 438 Section 106I (heading)

Repeal the heading, substitute:

**106I Comptroller-General of Customs may approve different statements or forms**

### 439 Subsections 106I(1) and (2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 440 Division 1A of Part VI (heading)

Repeal the heading, substitute:

## Division 1A—Directions in relation to goods for export etc. that are subject to customs control

### 441 Section 112C (heading)

Repeal the heading, substitute:

**112C Collector may give directions in relation to goods for export etc. that are subject to customs control**

### 442 Subsection 112C(1)

Omit “the control of Customs”, substitute “customs control”.

### 443 Section 113AA

Omit “Customs”, substitute “a Collector”.

### 444 Subsection 114(1)

Omit “Customs”, substitute “the Department”.

### 445 Paragraph 114(3)(b)

Omit “Customs”, substitute “the Department”.

### 446 Subsections 114(5) and (7)

Omit “Customs”, substitute “the Department”.

### 447 Subsections 114(8) and (9)

Omit “Customs”, substitute “A Collector”.

### 448 Paragraphs 114A(1)(a) and (b)

Omit “Customs” (wherever occurring), substitute “the Department”.

### 449 Subsections 114B(1), (3), (5), (6), (8) and (10)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 450 Subsection 114C(1)

Omit “Customs”, substitute “a Collector”.

### 451 Paragraphs 114CA(1)(a) and (b)

Omit “Customs” (wherever occurring), substitute “the Department”.

### 452 Subsections 114D(1) and (2)

Omit “Customs”, substitute “the Department”.

### 453 Paragraph 114D(3)(a)

Omit “Customs control”, substitute “customs control”.

### 454 Section 114F (heading)

Repeal the heading, substitute:

### 114F Notices to Department by person who receives goods at a wharf or airport for export

#### 455 Subsections 114F(1A) and (1B)

Omit “Customs”, substitute “the Department”.

#### 456 Paragraph 116(4)(a)

Omit “Customs”, substitute “the Department”.

#### 457 Section 117

Omit “the control of the Customs”, substitute “customs control”.

#### 458 Subsection 117AA(2)

Omit “Customs”, substitute “the Department”.

#### 459 Paragraph 117AA(3)(a)

Omit “Customs”, substitute “a Collector”.

#### 460 Subsection 117AA(4)

Omit “Customs”, substitute “the Department”.

#### 461 Section 117A (heading)

Repeal the heading, substitute:

### 117A Submanifests to be communicated to Department

#### 462 Subsection 117A(1)

Omit “Customs”, substitute “the Department”.

#### 463 Subsection 117A(3)

Omit “to Customs, Customs”, substitute “to the Department, a Collector”.

#### 464 Subsections 118(5) and (6)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 465 Subsection 118(9)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 466 Subsection 118A(2)

Omit “Customs”, substitute “the Department”.

### 467 Paragraph 118A(4)(c)

Omit “Customs”, substitute “the Department”.

### 468 Section 119 (heading)

Repeal the heading, substitute:

**119 Communication of outward manifest to Department**

### 469 Subsection 119(1)

Omit “Customs”, substitute “the Department”.

### 470 Paragraph 119AA(1)(a)

Omit “the control of Customs”, substitute “customs control”.

### 471 Subsection 119AA(2)

Omit “Customs”, substitute “the Department”.

### 472 Paragraph 119AA(3A)(a)

Omit “Customs”, substitute “the Department”.

### 473 Subsection 119AA(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 474 Subsection 119AB(1)

Omit “the control of Customs”, substitute “customs control”.

### 475 Subsection 119AB(1)

Omit “to Customs”, substitute “to the Department”.

### 476 Paragraph 119AB(3)(a)

Omit “Customs”, substitute “the Department”.

### 477 Subsection 119AB(5)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 478 Subsection 119A(1)

Omit “Customs” (wherever occurring), substitute “the Department”.

### 479 Paragraph 119A(2)(b)

Omit “Customs”, substitute “the Department”.

### 480 Subsection 119A(4)

Omit “Customs”, substitute “the Department”.

### 481 Subsections 119D(1) and (2)

Omit “Customs” (wherever occurring), substitute “the Department”.

### 482 Subsection 119D(3)

Omit “to Customs”, substitute “to the Department”.

### 483 Subsection 119D(3)

Omit “by Customs”, substitute “by a Collector”.

### 484 Section 119E (heading)

Repeal the heading, substitute:

**119E Requirements for communicating to Department electronically**

### 485 Section 119E

Omit “Customs”, substitute “the Department”.

### 486 Division 3A of Part VI (heading)

Repeal the heading, substitute:

## Division 3A—Examining goods for export that are not yet subject to customs control

### 487 Subsection 122F(2)

Omit “the control of Customs”, substitute “customs control”.

### 488 Subsection 122F(4)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 489 Subsection 122H(3) (notes 1 and 2)

Omit "the control of Customs", substitute "customs control".

### 490 Subsection 122Q(1)

Omit "Customs", substitute "the Commonwealth".

### 491 Subsection 122Q(2)

Omit "Customs must", substitute "The Commonwealth must".

### 492 Subsection 122Q(2)

Omit "as Customs", substitute "as the Commonwealth".

### 493 Section 126

Omit "CEO", substitute "Comptroller-General of Customs".

### 494 Section 126

Omit "the control of the Customs" (wherever occurring), substitute "customs control".

### 495 Subsection 126C(1)

Omit "the control of Customs", substitute "customs control".

### 496 Subsection 126C(3)

Omit "CEO", substitute "Comptroller-General of Customs".

### 497 Section 126D (heading)

Repeal the heading, substitute:

**126D Comptroller-General of Customs to maintain information systems**

### 498 Section 126D

Omit "CEO", substitute "Comptroller-General of Customs".

### 499 Section 126D

Omit “Customs”, substitute “the Department”.

### 500 Subsection 126DA(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 501 Paragraphs 126DA(1)(a), (c) and (d)

Omit “Customs”, substitute “the Department”.

### 502 Subsection 126DA(2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 503 Section 126DB

Omit “made to Customs”, substitute “made to the Department”.

### 504 Paragraph 126DB(a)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 505 Paragraphs 126DB(a) and (b)

Omit “Customs”, substitute “the Department”.

### 506 Subsection 126DC(1)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 507 Subsection 126DC(1) (note)

Omit “Customs or by Customs”, substitute “the Department or by the Department or a Collector”.

### 508 Paragraph 126DC(3)(a)

Omit “Customs”, substitute “the Department”.

### 509 Paragraph 126DC(3)(b)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 510 Paragraph 126DC(3)(b)

Omit “Customs”, substitute “the Department”.

### 511 Subsection 126DC(4)

Omit “Customs” (wherever occurring), substitute “the Department or a Collector”.

### 512 Section 126E (heading)

Repeal the heading, substitute:

**126E Communication to Department when information system is temporarily inoperative**

### 513 Subsection 126E(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 514 Paragraph 126E(1)(c)

Omit “website maintained by Customs”, substitute “Department’s website”.

### 515 Paragraph 126E(1)(d)

Omit “Customs”, substitute “the Department”.

### 516 Subsection 126E(2)

Omit “Customs” (wherever occurring), substitute “the Department”.

### 517 Paragraph 126E(3)(b)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 518 Subsection 126E(3)

Omit “Customs”, substitute “the Department”.

### 519 Section 126F (heading)

Repeal the heading, substitute:

**126F Payment when information system is temporarily inoperative**

### 520 Subsection 126F(1)

Omit “Customs”, substitute “the Commonwealth”.

## 521 Subsection 126F(2)

Omit “Customs”, substitute “the Comptroller-General of Customs”.

## 522 Subsection 126F(2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

## 523 Subsection 126F(3)

Omit “Customs”, substitute “an officer of Customs”.

## 524 Section 126G

Omit “CEO”, substitute “Comptroller-General of Customs”.

## 525 At the end of Part VIA

Add:

### 126H Comptroller-General of Customs may arrange for use of computer programs to make decisions etc.

(1) The Comptroller-General of Customs may arrange for the use, under the control of the Comptroller-General of Customs, of computer programs for any purposes for which the Comptroller-General of Customs, a Collector or an officer may, or must, under the provisions mentioned in subsection (3):

(a) make a decision; or

(b) exercise any power, or comply with any obligation; or

(c) do anything else related to making a decision, exercising a power, or complying with an obligation.

(2) The Comptroller-General of Customs, Collector or officer (as the case requires) is taken to have:

(a) made a decision; or

(b) exercised a power, or complied with an obligation; or

(c) done something else related to the making of a decision, the exercise of a power, or the compliance with an obligation;

that was made, exercised, complied with, or done (as the case requires) by the operation of a computer program under an arrangement made under subsection (1).

(3) For the purposes of subsection (1), the provisions are:
(a) Parts IV and VI; and
(b) any provision of this Act or of the regulations that the Comptroller-General of Customs, by legislative instrument, determines for the purposes of this paragraph.

### 526 Subsection 127(7)

Omit "CEO", substitute "Comptroller-General of Customs".

### 527 Subsection 127(8)

Omit "of the Customs".

### 528 Subsection 129(2)

Omit "revenue of the Customs", substitute "revenue".

### 529 Subsection 129(6)

Omit "CEO", substitute "Comptroller-General of Customs".

### 530 Subsection 131A(1)

Omit "(1)".

### 531 Subsection 131A(1)

Omit "the control of the Customs", substitute "customs control".

### 532 Subsection 132AA(3)

Omit "CEO", substitute "Comptroller-General of Customs".

### 533 Subsections 132B(1), (2), (3), (4) and (5)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 534 Subsection 132B(8)

Omit "the Customs shall have", substitute "the Commonwealth has".

### 535 Subsection 132B(8)

Omit "revenue of the Customs", substitute "revenue".

### 536 Subsections 132C(1) and (2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 537 Paragraph 132C(5)(b)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 538 Section 132D

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 539 Subsection 137(3)

Omit “the Customs”, substitute “a Collector”.

### 540 Subsection 137(3)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 541 Section 150

Omit “the control of the Customs”, substitute “customs control”.

### 542 Subsections 153AC(1), (2), (3) and (5)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 543 Subsection 153E(4) (heading)

Repeal the heading, substitute:

> *Comptroller-General of Customs may require artificial elements of cost to be disregarded*

### 544 Subsection 153E(4)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 545 Subsection 153E(4)

Omit “CEO’s opinion”, substitute “opinion of the Comptroller-General of Customs”.

### 546 Subsection 153E(5) (heading)

Repeal the heading, substitute:

*Comptroller-General of Customs may require cost over normal market value to be disregarded*

### 547 Subsection 153E(5)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 548 Subsection 153E(6) (heading)

Repeal the heading, substitute:

*Comptroller-General of Customs may determine cost of certain materials received at a factory*

### 549 Subsections 153E(6) and (7)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 550 Paragraphs 153L(1)(c) and (4)(b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 551 Subsections 153LA(1) and (2)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 552 Subsection 153LA(3) (heading)

Repeal the heading, substitute:

*Comptroller-General of Customs may revoke determination*

### 553 Subsection 153LA(3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 554 Subparagraph 153P(1)(b)(ii)

Omit "CEO", substitute "Comptroller-General of Customs".

### 555 Paragraph 153P(2)(c)

Omit "CEO", substitute "Comptroller-General of Customs".

### 556 Paragraph 153Q(1)(c)

Omit "CEO", substitute "Comptroller-General of Customs".

### 557 Subsection 153R(1) (heading)

Repeal the heading, substitute:

*Comptroller-General of Customs may determine that goods are, or are not, commercially manufactured in Australia*

### 558 Subsection 153R(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 559 Section 153UC (heading)

Repeal the heading, substitute:

**153UC Comptroller-General of Customs may determine cost of certain input, material etc.**

### 560 Section 153UC

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 561 Paragraph 153VA(d)

Omit "CEO", substitute "Comptroller-General of Customs".

### 562 Subsections 153VC(1), (2) and (3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 563 Subsection 153VC(4) (heading)

Repeal the heading, substitute:

*Comptroller-General of Customs may revoke determination*

### 564 Subsection 153VC(4)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 565 Subsection 153VD(1) (heading)

Repeal the heading, substitute:

*Comptroller-General of Customs may determine a different percentage*

### 566 Subsections 153VD(1) and (2)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 567 Subsection 153VD(3) (heading)

Repeal the heading, substitute:

*Comptroller-General of Customs may revoke determination*

### 568 Subsection 153VD(3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 569 Subsection 153ZIH(2)

Omit "CEO", substitute "Comptroller-General of Customs".

### 570 Subsection 154(1) (paragraphs (a), (b) and (c) of the definition of *import sales transaction*)

Omit "subject to Customs control", substitute "subject to customs control".

### 571 Paragraphs 161G(b) and (f)

Omit "for Customs purposes", substitute "for the purposes of this Act".

### 572 Subsection 161J(2)

Omit "CEO", substitute "Comptroller-General of Customs".

### 573 Paragraph 161J(3)(b)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 574 Subsection 161K(1)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 575 Subsections 161L(1), (2) and (3)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 576 Subparagraph 162(3)(b)(i)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 577 Subsection 162A(2)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 578 Subsection 162A(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 579 Subparagraphs 162A(5)(b)(ii) and (5A)(b)(ii)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 580 Paragraph 162A(8)(b)

Repeal the paragraph, substitute:

(b) if an undertaking has been given to pay the amount of the duty (if any), GST (if any) and luxury car tax (if any) associated with the import of the goods—the amount may be recovered at any time in a court of competent jurisdiction by proceedings in the name of the Comptroller-General of Customs.

### 581 Subsection 162AA(2)

Omit “Customs”, substitute “the Collector”.

### 582 Paragraph 163(1AA)(b)

Omit “by Customs”.

### 583 Subsections 163(1AB) and (1AE)

Omit “Customs”, substitute “the Department”.

### 584 Section 164B

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 585 Subsections 165(3) and (5)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 586 Paragraphs 165(6)(a) and (b)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 587 Paragraph 165A(1)(c)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 588 Subsection 165A(2)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 589 Section 166

Omit “the Customs”, substitute “the Comptroller-General of Customs”.

### 590 Subsection 167(3)

Omit “Subject to subsection (3B), for”, substitute “For”.

### 591 Paragraphs 167(3)(a) and (b)

Omit “Customs”, substitute “the Collector”.

### 592 Subsection 167(4)

Omit “paid to the Customs”, substitute “paid to the Commonwealth”.

### 593 Subsection 175(3G)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 594 Subsection 180(1)

Omit “(1)”.

### 595 Subsection 180(2)

Repeal the subsection.

### 596 Subsection 181(2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 597 Subsection 183C(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 598 Paragraphs 183CA(1)(d) and (e)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 599 Subsections 183CB(1) and (2)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 600 Subsection 183CC(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 601 Paragraph 183CC(2)(b)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 602 Subsections 183CC(3), (4), (4A) and (5)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 603 Subsections 183CE(1) and (2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 604 Subsections 183CF(1), (2) and (3)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 605 Subsections 183CG(1), (3), (6), (7) and (8)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 606 Section 183CGA (heading)

Repeal the heading, substitute:

### 183CGA Comptroller-General of Customs may impose additional conditions to which a broker's licence is subject

### 607 Subsections 183CGA(1) and (2)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 608 Section 183CGB (heading)

Repeal the heading, substitute:

### 183CGB Comptroller-General of Customs may vary the conditions to which a broker's licence is subject

### 609 Subsection 183CGB(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 610 Paragraph 183CGB(2)(b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 611 Subsection 183CJ(1)

Repeal the subsection, substitute:

(1) If a customs broker, within 2 months before the date on which his or her broker's licence is due to expire, applies in writing to the Comptroller-General of Customs for the renewal of the licence, the Comptroller-General of Customs must, by writing, renew the licence unless:
  (a) the Comptroller-General of Customs has given an order under paragraph 183CS(1)(d) in relation to the licence; or
  (b) the customs broker is, because of section 183CK, not entitled to hold a broker's licence.

### 612 Subsections 183CK(1), (2), (3) and (4)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 613 Section 183CM

Omit "CEO", substitute "Comptroller-General of Customs".

## 614 Subsections 183CN(1) and (2)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

## 615 Section 183CP

Omit "agent", substitute "broker".

## 616 Section 183CP

Omit "CEO", substitute "Comptroller-General of Customs".

## 617 Subsections 183CQ(1) and (4)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

## 618 Subsection 183CQ(5)

Repeal the subsection, substitute:

(5) If the Comptroller-General of Customs gives notice in accordance with this section to a customs broker, the Comptroller-General of Customs must refer the question whether the Comptroller-General of Customs should take action in relation to the licence under subsection 183CS(1) to the Committee, for investigation and report to the Comptroller-General of Customs.

## 619 Subsections 183CQ(6) and (7)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

## 620 Section 183CR (heading)

Repeal the heading, substitute:

### 183CR Interim suspension by Comptroller-General of Customs

## 621 Subsections 183CR(1) and (2)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 622 Subsection 183CR(3)

Repeal the subsection, substitute:

(3) A suspension of a licence by the Comptroller-General of Customs under subsection (1) has effect until the suspension is revoked by the Comptroller-General of Customs, or the Comptroller-General of Customs has dealt with the matter in accordance with section 183CS, whichever occurs first.

### 623 Subsection 183CR(4)

Omit "CEO", substitute "Comptroller-General of Customs".

### 624 Section 183CS (heading)

Repeal the heading, substitute:

**183CS Powers of Comptroller-General of Customs**

### 625 Subsections 183CS(1), (2), (4) and (5)

Omit "CEO", substitute "Comptroller-General of Customs".

### 626 Paragraphs 183D(2)(a) and (b)

Omit "CEO, or a Regional Director for a State or Territory,", substitute "Comptroller-General of Customs".

### 627 Paragraphs 183D(2)(c) and (d)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 628 Paragraph 183DA(2)(b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 629 Subsections 183DA(3), (4) and (5)

Omit "CEO", substitute "Comptroller-General of Customs".

### 630 Subsections 183DC(1) and (3)

Omit "CEO", substitute "Comptroller-General of Customs".

### 631 Subsections 183DD(1), (2) and (3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 632 Subsection 183S(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 633 Division 1 of Part XII (heading)

Repeal the heading, substitute:

## Division 1—Powers of officers

### 634 Subsection 183UA(1) (paragraph (aa) of the definition of *Customs place*)

Omit "Customs", substitute "the Commonwealth for use for the purposes of the Customs Acts".

### 635 Subsection 183UA(1) (paragraph (f) of the definition of *Customs place*)

Omit "a place that is approved, in writing, by the CEO", substitute "a place approved in an instrument under subsection (2)".

### 636 Subsection 183UA(1) (note at the end of the definition of *Customs place*)

Repeal the note.

### 637 Subsection 183UA(1) (paragraph (b) of the definition of *person assisting*)

Omit "CEO or by a Regional Director for a State or Territory", substitute "Comptroller-General of Customs".

### 638 Subsection 183UA(2)

Repeal the subsection, substitute:

(2) For the purposes of paragraph (f) of the definition of ***Customs place*** in subsection (1), the Comptroller-General of Customs may, by legislative instrument, approve a place as a place for the examination of international mail.

## 639 Section 183UC (heading)

Repeal the heading, substitute:

### 183UC Comptroller-General of Customs may give directions concerning the exercise of powers under this Division

## 640 Section 183UC

Omit "Without limiting the generality of the power conferred on the CEO under subsection 4(4) of the *Customs Administration Act 1985*, the CEO may, by legislative instrument, give directions under that subsection concerning", substitute "The Comptroller-General of Customs may, by legislative instrument, give directions concerning".

## 641 Paragraph 183UC(c)

Omit "CEO", substitute "Comptroller-General of Customs".

## 642 Section 186 (heading)

Repeal the heading, substitute:

### 186 General powers of examination of goods subject to customs control

## 643 Subsection 186(1)

Omit "the control of the Customs", substitute "customs control".

## 644 Subsection 186(4)

Omit "the control of Customs" (wherever occurring), substitute "customs control".

## 645 Paragraphs 186AA(2)(d), (3)(d) and (7)(a)

Omit "the control of the Customs", substitute "customs control".

## 646 Subparagraphs 187(b)(i) and (iii)

Omit "the control of the Customs", substitute "customs control".

## 647 Subparagraph 187(d)(i)

Omit "the control of Customs", substitute "customs control".

## 648 Subparagraph 187(d)(iii)

Omit "the control of the Customs", substitute "customs control".

## 649 Subsection 189A(1)

Omit "CEO", substitute "Comptroller-General of Customs".

## 650 Subsection 189A(2)

Omit "Without limiting the matters that may be the subject of directions under subsection 4(4) of the *Customs Administration Act 1985* as modified by section 183UC, the CEO may give directions under that modified subsection", substitute "The Comptroller-General of Customs may, by legislative instrument, give directions".

## 651 Paragraph 189A(2)(e)

Omit "CEO", substitute "Comptroller-General of Customs".

## 652 Subsection 189A(5) (definition of *authorised arms issuing officer*)

Repeal the definition, substitute:

> ***authorised arms issuing officer*** means an officer of Customs authorised under subsection (6) to exercise the powers or perform the functions of an authorised arms issuing officer under this section.

## 653 Subsection 189A(5) (definition of *officer authorised to carry arms*)

Repeal the definition, substitute:

> ***officer authorised to carry arms*** means an officer of Customs authorised under subsection (7) to use approved firearms and approved items of personal defence equipment issued by an authorised arms issuing officer for the purpose specified in paragraph (1)(a).

## 654 At the end of section 189A

Add:

(6) The Comptroller-General of Customs may, by writing, authorise an officer of Customs to exercise the powers or perform the functions of an authorised arms issuing officer under this section.

(7) The Comptroller-General of Customs may, by writing, authorise an officer of Customs to use approved firearms and approved items of personal defence equipment issued by an authorised arms issuing officer for the purpose specified in paragraph (1)(a).

### 655 Subsection 191(1)

Omit "the control of the Customs", substitute "customs control".

### 656 Subsection 194(1)

Omit "Customs", substitute "Australian Border Force (within the meaning of the *Australian Border Force Act 2015*)".

### 657 Paragraph 197(1)(b)

Omit "the control of Customs", substitute "customs control".

### 658 Subsection 198(8)

Omit "law of Customs within the meaning of the *Customs Administration Act 1985*", substitute "law of the Commonwealth".

### 659 Subsection 201(1B)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 660 Paragraphs 201(1B)(c) and (d)

Omit "in the control of Customs", substitute "subject to customs control".

### 661 Subsection 203T(2)

Omit "Comptroller", substitute "Comptroller-General of Customs".

### 662 Subsection 203T(3)

Omit "the control of the Customs", substitute "customs control".

### 663 Subsection 205B(3) (paragraph (a) of the definition of *appropriate person*)

Repeal the paragraph, substitute:

(a) in relation to goods other than narcotic-related goods—the Comptroller-General of Customs; and

### 664 Paragraph 206(1)(c)

Omit "CEO or a Regional Director for a State or Territory", substitute "Comptroller-General of Customs".

### 665 Subsection 206(1)

Omit "CEO or Regional Director concerned", substitute "Comptroller-General of Customs".

### 666 Paragraph 206(1A)(b)

Omit "CEO or a Regional Director for a State or Territory", substitute "Comptroller-General of Customs".

### 667 Subsection 206(1A)

Omit "CEO or Regional Director concerned", substitute "Comptroller-General of Customs".

### 668 Paragraph 206(2)(c)

Omit "CEO or a Regional Director for a State or Territory", substitute "Comptroller-General of Customs".

### 669 Subsections 206(2) and (3)

Omit "CEO or Regional Director concerned", substitute "Comptroller-General of Customs".

### 670 Subsection 208(2)

Omit "CEO", substitute "Comptroller-General of Customs".

### 671 Paragraph 208(4)(b)

Omit "Customs", substitute "the Commonwealth".

### 672 Subsection 208(5)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 673 Paragraph 208D(a)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 674 Subsection 209J(1)

Omit “CEO or a Regional Director for a State or Territory”, substitute “Comptroller-General of Customs”.

### 675 Subsection 209J(1)

Omit “CEO or Regional Director”, substitute “Comptroller-General of Customs”.

### 676 Subsection 209J(2)

Omit “CEO or Regional Director concerned”, substitute “Comptroller-General of Customs”.

### 677 Subsections 209K(1) and (2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 678 Subparagraph 209N(1)(a)(ii)

Omit “Customs”, substitute “the officer”.

### 679 Paragraph 209N(1)(c)

Omit “Customs”, substitute “the officer”.

### 680 Subsection 209N(2)

Omit “from Customs”, substitute “from an officer of Customs”.

### 681 Subsection 209N(2)

Omit “to Customs”, substitute “to the Department”.

### 682 Section 209R

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 683 Subparagraph 209U(1)(c)(i)

Omit “Customs”, substitute “the officer”.

### 684 Subparagraph 209U(1)(d)(ii)

Omit “Customs”, substitute “the officer”.

### 685 Subsection 209U(2)

Omit “from Customs”, substitute “from an officer of Customs”.

### 686 Subsection 209U(2)

Omit “to Customs”, substitute “to the Department”.

### 687 Paragraphs 209X(1)(d), (e) and (g)

Omit “Customs” (wherever occurring), substitute “the Department”.

### 688 Paragraphs 209X(3)(a) and (b)

Omit “Customs”, substitute “the Department”.

### 689 Subparagraphs 209Z(1)(c)(i) and (iii)

Omit “Customs”, substitute “the Department”.

### 690 Paragraphs 209Z(2)(a), (b) and (c)

Omit “Customs” (wherever occurring), substitute “the Department”.

### 691 Paragraph 209ZA(1)(c)

Omit “Customs”, substitute “the Department”.

### 692 Section 213A (heading)

Repeal the heading, substitute:

**213A Providing an authorised officer with information about people working in restricted areas**

### 693 Paragraph 213A(4)(b)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 694 Section 213B (heading)

Repeal the heading, substitute:

**213B Provision of information about people issued with security identification cards**

### 695 Paragraph 213B(3)(b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 696 Paragraphs 214AB(1)(g) and (2)(e)

Omit "Customs", substitute "the Department".

### 697 Subsections 214AC(1), (2) and (3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 698 Section 214AD (note)

Omit "Customs", substitute "the Department".

### 699 Paragraph 214AE(1)(c)

Omit "Customs", substitute "the Department".

### 700 Paragraph 214AF(2)(c)

Omit "Customs", substitute "the Department".

### 701 Paragraph 214BAC(1)(g)

Omit "Customs", substitute "the Department".

### 702 Subsections 214BAD(1) and (2)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 703 Section 217

Omit "Customs business", substitute "the Customs Acts".

### 704 Section 218 (heading)

Repeal the heading, substitute:

## 218 Samples

### 705 Section 218

Omit “the control of the Customs”, substitute “customs control”.

### 706 Subsection 218A(3)

Omit “the Customs”, substitute “the Commonwealth”.

### 707 Section 219

Repeal the section.

### 708 Paragraph 219M(2)(a)

Omit “the CEO’s opinion”, substitute “the opinion of the Comptroller-General of Customs”.

### 709 Subparagraph 219Q(2)(b)(i)

Omit “the CEO’s opinion”, substitute “the opinion of the Comptroller-General of Customs”.

### 710 Subsection 219R(14) (definition of *authorised officer*)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 711 Paragraph 219RAA(1)(a)

Omit “, at the discretion of the Customs,”.

### 712 Section 219SB

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 713 Paragraph 219T(1A)(c)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 714 Subsection 219T(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 715 Subsection 219U(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 716 Subsections 219V(3), (4) and (8)

Omit "CEO", substitute "Comptroller-General of Customs".

### 717 Subsection 219X(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 718 Paragraphs 219Y(4)(c) and (5)(b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 719 Subsection 219ZAB(3) (heading)

Repeal the heading, substitute:

*Requirement for statement from Comptroller-General of Customs*

### 720 Subsections 219ZAB(3), (4) and (5)

Omit "CEO", substitute "Comptroller-General of Customs".

### 721 Subsection 219ZAC(1)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 722 Subsections 219ZA(1), (2) and (3)

Omit "CEO", substitute "Comptroller-General of Customs".

### 723 Paragraph 219ZC(4)(a)

Omit "CEO", substitute "Comptroller-General of Customs".

### 724 Subsection 219ZH(6) (paragraph (a) of the definition of *chief officer*)

Omit "CEO", substitute "Comptroller-General of Customs".

### 725 Section 219ZJE (heading)

Repeal the heading, substitute:

### 219ZJE Comptroller-General of Customs must give directions about detaining persons under this Division

#### 726 Section 219ZJE

Omit "Without limiting subsection 4(4) of the *Customs Administration Act 1985*, the CEO must, by legislative instrument, give directions under that subsection", substitute "The Comptroller-General of Customs must, by legislative instrument, give directions".

#### 727 Paragraph 219ZJE(b)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 728 Subsections 227F(5) and (7)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 729 Paragraph 227G(1)(a)

Omit "Customs", substitute "the Commonwealth".

#### 730 Paragraph 228(1)(d)

Omit "the Customs", substitute "an officer of Customs".

#### 731 Sections 228A and 228B

Omit "CEO", substitute "Comptroller-General of Customs".

#### 732 Paragraph 229(1)(g)

Omit "the control of the Customs", substitute "customs control".

#### 733 Subsection 233(6)

Omit "Customs officers", substitute "officers of Customs".

#### 734 Section 233BABAF (heading)

Repeal the heading, substitute:

### 233BABAF Using information held by the Commonwealth

#### 735 Subparagraph 233BABAF(3)(d)(ii)

Omit "*Customs Administration Act 1985*", substitute "*Australian Border Force Act 2015*".

#### 736 Subsection 233BABAF(4) (paragraph (a) of the definition of *restricted information*)

Omit "Customs", substitute "the Commonwealth for use for the purposes of the Customs Acts".

#### 737 Subsection 233BA(1)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 738 Subsection 234(2A)

Omit "Customs" (wherever occurring), substitute "the Department".

#### 739 Subsection 234(2A)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 740 Subsection 234(2B)

Omit "Customs" (wherever occurring), substitute "the Department".

#### 741 Subsection 234(2B)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 742 Subsection 234(2BA)

Omit "Customs" (wherever occurring), substitute "the Department".

#### 743 Subsection 234(2BA)

Omit "CEO", substitute "Comptroller-General of Customs".

#### 744 Subsection 234(2BB)

Repeal the subsection.

#### 745 Subsection 234(2BC)

Omit "Customs", substitute "the Department".

### 746 Subsection 234(2BC)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 747 Subsection 234(2C)

Omit “, (2BB)”.

### 748 Subsection 234AA(3)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 749 Paragraph 234A(1A)(e)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 750 Paragraph 240(1)(a)

Omit “the control of Customs”, substitute “customs control”.

### 751 Paragraph 240(1AA)(a)

Omit “Customs”, substitute “the Department”.

### 752 Paragraphs 240(1A)(b) and (1B)(d)

Omit “Customs”, substitute “the Department”.

### 753 Subsection 240(3)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 754 Section 240AB (heading)

Repeal the heading, substitute:

**240AB Verifying communications to Department**

### 755 Subsection 240AB(1)

Omit “Customs”, substitute “the Department”.

### 756 Subsections 240AB(2), (3) and (3A)

Omit “to Customs” (wherever occurring), substitute “to the Department”.

### 757 Subsection 243B(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 758 Paragraph 243CA(2)(a)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 759 Subsection 243CA(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 760 Subsections 243E(1) and (6)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 761 Paragraphs 243F(1)(d), (2)(b), (3)(b) and (3A)(b)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 762 Subsection 243G(2A)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 763 Subsection 243K(2)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 764 Subsection 243L(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 765 Paragraph 243SA(2)(a)

Omit “Customs”, substitute “a monitoring officer”.

### 766 Section 243W (heading)

Repeal the heading, substitute:

**243W Electronic communications to Department to be treated as statements to Comptroller-General of Customs**

### 767 Section 243W

Omit “Customs”, substitute “the Department”.

### 768 Section 243W

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 769 Subsection 243Y(3)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 770 Section 244

Omit “by the Customs”.

### 771 Subsection 245(1)

Omit “CEO in the name of the office of the CEO”, substitute “Comptroller-General of Customs”.

### 772 Section 250A (heading)

Repeal the heading, substitute:

**250A Property in goods subject to customs control**

### 773 Section 250A

Omit “the Customs in relation to any goods subject to the control of the Customs”, substitute “the Commonwealth in relation to any goods subject to customs control”.

### 774 Section 253

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 775 Section 256

Omit “CEO or the Regional Director for a State or Territory”, substitute “Comptroller-General of Customs”.

### 776 Section 259

Omit “the control of the Customs”, substitute “customs control”.

### 777 Section 261

Omit “the Customs”, substitute “the Commonwealth”.

### 778 Subsection 264(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 779 Subsection 267(1)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 780 Subsections 268(1) and (2)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 781 Section 269

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 782 Subsection 269B(1) (paragraphs (a) and (b) of the definition of *gazettal day*)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 783 Subsection 269B(1) (subparagraph (a)(i) of the definition of *last day for submission*)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 784 Subsection 269D(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 785 Subsection 269F(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 786 Subsection 269F(4)

Omit “with Customs”.

### 787 Paragraph 269F(4)(a)

Omit “at Customs House in Canberra”, substitute “by notice published on the Department’s website”.

### 788 Section 269FA

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 789 Paragraph 269G(2)(b)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 790 Subsection 269G(3)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 791 Subsections 269H(1) and (2)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 792 Section 269HA (heading)

Repeal the heading, substitute:

**269HA Comptroller-General of Customs may reject a TCO application in relation to goods referred to in section 269SJ**

### 793 Subsections 269HA(1) and (2)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 794 Subsections 269J(1) and (3)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 795 Subsections 269K(1), (3) and (4)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 796 Subsections 269L(1), (2), (3), (4), (4A), (4B), (5) and (6)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 797 Section 269M (heading)

Repeal the heading, substitute:

**269M Comptroller-General of Customs may invite submissions or seek other information, documents or material**

### 798 Subsections 269M(1), (3), (4), (5) and (6)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 799 Subsection 269M(6)

Omit "section 16 of the *Customs Administration Act 1985*", substitute "Part 6 of the *Australian Border Force Act 2015*".

### 800 Subsections 269N(1), (2), (3), (4) and (5)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 801 Subsections 269P(1), (2), (3) and (4)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 802 Subsections 269Q(1), (2), (3) and (4)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 803 Subsection 269R(1)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 804 Subsections 269SA(1) and (2)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 805 Subsection 269SB(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 806 Subsection 269SB(3)

Omit "with Customs".

### 807 Paragraph 269SB(3)(a)

Omit "at Customs House, Canberra", substitute "by notice published on the Department's website".

### 808 Subsections 269SC(1), (1A), (2), (3), (4) and (5)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 809 Section 269SD (heading)

Repeal the heading, substitute:

**269SD Revocation at the initiative of Comptroller-General of Customs**

### 810 Subsections 269SD(1AA), (1AB), (1), (1A), (2), (2A), (3) and (5)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 811 Subsections 269SE(1) and (2)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 812 Section 269SF (heading)

Repeal the heading, substitute:

**269SF Comptroller-General of Customs may seek information, documents or material relating to revocation**

### 813 Subsections 269SF(1) and (3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 814 Subsections 269SH(1), (3), (3A), (4), (5), (6), (7), (8) and (10)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 815 Subsection 269SH(13) (subparagraph (a)(iii) of the definition of *affected person*)

Omit "CEO", substitute "Comptroller-General of Customs".

### 816 Subsection 269SHA(2)

Omit "CEO", substitute "Comptroller-General of Customs".

### 817 Subsections 269SJ(1), (2) and (3)

Omit "CEO", substitute "Comptroller-General of Customs".

### 818 Section 269SK

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 819 Subsection 269SMT(1)

Omit "the CEO, or an officer of Customs,", substitute "an officer of Customs".

### 820 Subsection 269T(1)

Insert:

> ***Commissioner*** means the Commissioner of the Anti-Dumping Commission continued in existence under section 269SMB.
>
> ***Commission staff member*** means a member of the staff assisting the Commissioner as mentioned in subsection 269SMQ(1).

### 821 Section 269TBA

Omit "Customs", substitute "the Commonwealth".

### 822 Paragraph 269TD(4)(b)

Omit "Customs may, at the time of making that determination", substitute "the Commonwealth may, at the time that determination is made".

### 823 Subsection 269TD(5)

Omit "Customs", substitute "the Commonwealth".

### 824 Subsection 269TN(2)

Omit "the Customs", substitute "the Commonwealth".

### 825 Paragraphs 269TN(3)(a), (4B)(b), (5)(a), (7)(b) and (8)(b)

Omit "the Customs", substitute "the Commonwealth".

### 826 Paragraph 269ZH(b)

Omit "the Customs", substitute "the Commonwealth".

### 827 Paragraph 269ZZYD(1)(a)

After "Commissioner", insert "(within the meaning of Part XVB)".

### 828 Subsections 269ZZYE(1), (2) and (3)

After "Commissioner", insert "(within the meaning of Part XVB)".

### 829 Subsection 269ZZYF(1)

After "Commissioner", insert "(within the meaning of Part XVB)".

### 830 Subsection 269ZZYG(2)

After "Commissioner", insert "(within the meaning of Part XVB)".

### 831 Subsection 269ZZYG(3)

After "Commissioner" (first occurring), insert "(within the meaning of Part XVB)".

### 832 Paragraph 269ZZYG(6)(a)

After "Commissioner", insert "(within the meaning of Part XVB)".

### 833 At the end of paragraph 269ZZYG(6)(b)

Add “(within the meaning of that Part)”.

### 834 Subsection 269ZZYH(1)

After “Commissioner”, insert “(within the meaning of Part XVB)”.

### 835 Subsection 269ZZYH(1)

After “Commission staff member”, insert “(within the meaning of that Part)”.

### 836 Subsection 269ZZYH(1)

Omit “the CEO, or an officer of Customs,”, substitute “an officer of Customs”.

### 837 Subsection 270(1)

Omit “or for the conduct of any business relating to the Customs”.

### 838 Paragraph 270(1)(e)

Omit “the control of the Customs”, substitute “customs control”.

### 839 Section 271 (heading)

Repeal the heading, substitute:

**271 Comptroller-General of Customs may make by-laws**

### 840 Sections 271 and 272

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 841 Subsections 273(1), (2) and (3)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 842 Section 273A

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 843 Subsection 273GAA(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 844 Subsection 273GAA(8)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 845 Subsection 273GAA(8)

Omit “CEO’s findings”, substitute “findings of the Comptroller-General of Customs”.

### 846 Subsection 273GAA(9)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 847 Section 273GAB (heading)

Repeal the heading, substitute:

**273GAB Authorisation to disclose information to an officer**

### 848 Subsection 273GAB(1) (note)

Omit “Customs (including the officer)”, substitute “An officer”.

### 849 Subsection 273GAB(1) (note)

Omit “Section 16 of the *Customs Administration Act 1985*”, substitute “Part 6 of the *Australian Border Force Act 2015*”.

### 850 Subsection 273GA(1)

Omit “CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 851 Subsection 273GA(6A)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 852 Subsection 273H(1)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 853 Section 273HA

Repeal the section.

### 854 Section 273L

Omit “Customs”, substitute “the Comptroller-General of Customs”.

## 855 Sections 274 and 275

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

## 856 Subsection 275A(1)

Omit "the Customs", substitute "this Act".

## 857 Subsection 275A(4)

Repeal the subsection, substitute:

(4) If a Collector (not being the Comptroller-General of Customs) gives a direction under subsection (1) not to move a ship or aircraft from a boarding station, the Collector must as soon as practicable notify the Comptroller-General of Customs of the giving of the direction.

## 858 Paragraph 275A(5)(b)

Omit "CEO or the Regional Director for a State or Territory", substitute "Comptroller-General of Customs".

## 859 Paragraph 275A(5)(b)

Omit "the Customs", substitute "this Act".

## 860 Schedule I

Omit "*Security to the Customs*", substitute "*Security to the Commonwealth*".

## 861 Schedule I

Omit "the Customs of".

# Part 2—Saving and transitional provisions

## 862 Transitional provision—authorised officers—person employed in Customs

(1) This item applies to an authorisation:

(a) that was given before the commencement of this item by the Chief Executive Officer of Customs under the definition of ***authorised officer*** in subsection 4(1) of the *Customs Act 1901*; and

(b) that was given in relation to a section of that Act; and

(c) that was given in relation to a named person covered by paragraph (a) of the definition of ***Officer of Customs*** in subsection 4(1) of that Act; and

(d) that was is in force immediately before that commencement.

(2) The authorisation continues in force on and after that commencement as if it were an authorisation:

(a) given by the Comptroller-General of Customs under subsection 4(1AA) of the *Customs Act 1901*; and

(b) given in relation to the section mentioned in paragraph (1)(b) of this item; and

(c) given in relation to the named person as a person covered by paragraph (c) of the definition of ***officer of Customs*** in subsection 4(1) of that Act.

## 863 Transitional provision—other authorised officers

(1) This item applies to an authorisation:

(a) that was given before the commencement of this item by the Chief Executive Officer of Customs under the definition of ***authorised officer*** in subsection 4(1) of the *Customs Act 1901*; and

(b) that was given in relation to a section of that Act; and

(c) that was given in relation to a person covered by paragraph (b) or (ba) of the definition of ***Officer of Customs*** in subsection 4(1) of that Act; and

(d) that was is in force immediately before that commencement.

(2) The authorisation continues in force on and after that commencement as if it were an authorisation:

(a) given by the Comptroller-General of Customs under subsection 4(1AA) of the *Customs Act 1901*; and

(b) given in relation to the section mentioned in paragraph (1)(b) of this item; and

(c) given in relation to the person as a person covered by paragraph (d) or (e) of the definition of ***officer of Customs*** in subsection 4(1) of that Act.

## 864 Transitional provision—persons to whom paragraph (b) of the definition of *Officer of Customs* applies—authorisation

(1) This item applies to an authorisation:

(a) that was given in relation to a person before the commencement of this item by the Chief Executive Officer of Customs as mentioned in paragraph (b) of the definition of ***Officer of Customs*** in subsection 4(1) of the *Customs Act 1901*; and

(b) that was in force immediately before that commencement.

(2) The authorisation continues in force on and after that commencement as if it were an authorisation given in relation to the person by the Comptroller-General of Customs under subsection 4(1B) of the *Customs Act 1901*.

## 865 Transitional provision—persons to whom paragraph (b) of the definition of *Officer of Customs* applies—delegation

(1) This item applies to a delegation in force under section 14 of the *Customs Administration Act 1985* immediately before the commencement of this item in relation to a person covered by paragraph (b) of the definition of ***Officer of Customs*** in subsection 4(1) of the *Customs Act 1901*.

(2) The delegation continues in force on and after that commencement as if it were a delegation in force under subsection 54(1) of the *Australian Border Force Act 2015* in relation to the person as a person covered by

paragraph (b) of the definition of ***Immigration and Border Protection worker*** in subsection 4(1) of the *Australian Border Force Act 2015*.

## 866 Transitional provision—persons to whom paragraph (ba) of the definition of *Officer of Customs* applies—authorisation

(1) This item applies to an instrument:

(a) that was made before the commencement of this item by the Chief Executive Officer of Customs as mentioned in paragraph (ba) of the definition of ***Officer of Customs*** in subsection 4(1) of the *Customs Act 1901*; and

(b) that was in force immediately before that commencement.

(2) The instrument continues in force on and after that commencement as if it were an instrument made by the Comptroller-General of Customs under subsection 4(1C) of the *Customs Act 1901*.

## 867 Transitional provision—persons to whom paragraph (ba) of the definition of *Officer of Customs* applies—delegation

(1) This item applies to a delegation in force under section 14 of the *Customs Administration Act 1985* immediately before the commencement of this item in relation to a person covered by paragraph (ba) of the definition of ***Officer of Customs*** in subsection 4(1) of the *Customs Act 1901*.

(2) The delegation continues in force on and after that commencement as if it were a delegation in force under subsection 54(1) of the *Australian Border Force Act 2015* in relation to the person as a person covered by paragraph (b) of the definition of ***Immigration and Border Protection worker*** in subsection 4(1) of the *Australian Border Force Act 2015*.

## 868 Transitional provision—persons to whom subparagraph (c)(i) of the definition of *Officer of Customs* applies

(1) This item applies to an authorisation:

(a) that was given in relation to a person before the commencement of this item by the Chief Executive Officer

of Customs as mentioned in subparagraph (c)(i) of the definition of ***Officer of Customs*** in subsection 4(1) of the *Customs Act 1901*; and

(b) that was given in relation to a provision of that Act; and

(c) that was in force immediately before that commencement.

(2) The authorisation continues in force on and after that commencement as if it were an authorisation:

(a) given in relation to the person by the Comptroller-General of Customs under subsection 4(1D) of the *Customs Act 1901*; and

(b) given in relation to the provision mentioned in paragraph (1)(b) of this item.

## 869 Transitional provision—persons to whom subparagraph (c)(ii) of the definition of *Officer of Customs* applies

(1) This item applies to an instrument:

(a) that was made before the commencement of this item by the Chief Executive Officer of Customs as mentioned in subparagraph (c)(ii) of the definition of ***Officer of Customs*** in subsection 4(1) of the *Customs Act 1901*; and

(b) that was given in relation to a provision of that Act; and

(c) that was in force immediately before that commencement.

(2) The instrument continues in force on and after that commencement as if it were an instrument:

(a) made by the Comptroller-General of Customs under subsection 4(1E) of the *Customs Act 1901*; and

(b) made in relation to the provision mentioned in paragraph (1)(b) of this item.

## 870 Transitional provision—APS employees who are officers of Customs

To avoid doubt, the reference in paragraph (c) of the definition of ***officer of Customs*** in subsection 4(1) of the *Customs Act 1901*, as inserted by this Schedule, to an APS employee in the Department is a reference to a person who is an APS employee in the Department, whether the person became such an employee before, on or after the commencement of this item.

## 871 Approved forms and approved statements

(1) An instrument approving a form and in force under subsection 4A(1) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument approving that form and in force under that subsection as amended by this Schedule.

(2) An instrument approving a statement and in force under subsection 4A(1A) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument approving that statement and in force under that subsection as amended by this Schedule.

## 872 Attachment of overseas resources installations

(1) A permission in force under subsection 5A(2) of the *Customs Act 1901* immediately before the commencement of this item (including one that had been varied under subsection 5A(4) of that Act) has effect on and after that commencement as if it were a permission given under subsection 5A(2) of that Act as amended by this Schedule.

(2) Any conditions of such a permission continue in force on and after that commencement.

## 873 Installation of overseas sea installations

(1) A permission in force under subsection 5B(2) of the *Customs Act 1901* immediately before the commencement of this item (including one that had been varied under subsection 5B(4) of that Act) has effect on and after that commencement as if it were a permission given under subsection 5B(2) of that Act as amended by this Schedule.

(2) Any conditions of such a permission continue in force on and after that commencement.

## 874 Appointment of ports and airports

A notice in force under subsection 15(1) or (2) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were a notice given under that subsection as amended by this Schedule.

## 875 Accommodation on wharfs and at airports

An instrument in force under section 19 of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument given under that section as amended by this Schedule.

## 876 Customs control of goods

Goods subject to the control of the Customs under the *Customs Act 1901* immediately before the commencement of this item are taken on and after that commencement to be subject to customs control under that Act.

## 877 Exemptions under Torres Strait Treaty

(1) A notice in force under subsection 30A(2) or (3) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were a notice given under that subsection as amended by this Schedule.

(2) An application made to the Chief Executive Officer of Customs under subsection 30A(4) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an application made to the Comptroller-General of Customs under that subsection as amended by this Schedule.

(3) A notice given under subsection 30A(5) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a notice given under that subsection as amended by this Schedule.

## 878 Resources installations subject to customs control

(1) A permission in force under subsection 33A(2) of the *Customs Act 1901* immediately before the commencement of this item (including one that had been varied under subsection 33A(4) of that Act) has effect on and after that commencement as if it were a permission given under subsection 33A(2) of that Act as amended by this Schedule.

(2) Any conditions of such a permission continue in force on and after that commencement.

## 879 Sea installations subject to customs control

(1) A permission in force under subsection 33B(2) of the *Customs Act 1901* immediately before the commencement of this item (including one that had been varied under subsection 33B(4) of that Act) has effect on and after that commencement as if it were a permission given under subsection 33B(2) of that Act as amended by this Schedule.

(2) Any conditions of such a permission continue in force on and after that commencement.

## 880 Securities

(1) A security taken by the Customs under section 42 of the *Customs Act 1901* before the commencement of this item and in effect immediately before that commencement has effect on and after that commencement as if it were a security taken by the Commonwealth under that section.

(2) An authority given under section 44 of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an authority given under that section as amended by this Schedule.

(3) An approval given under section 44 of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an approval given under that section as amended by this Schedule.

## 881 Direct journeys between installations and external places prohibited

An authorisation in force under paragraph 58A(6)(c) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an authorisation given under that paragraph as amended by this Schedule.

## 882 Direct journeys between certain resources installations and external places prohibited

An authorisation in force under paragraph 58B(6)(c) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it had been given under that paragraph as amended by this Schedule.

## 883 Boarding stations

An approval in force under paragraph 60(2)(b) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an approval given under that paragraph as amended by this Schedule.

## 884 Impending arrival report

A report made under subsection 64(2) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a report made under that subsection as amended by this Schedule.

## 885 Arrival report

(1) A report made under subsection 64AA(2) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a report made under that subsection as amended by this Schedule.

(2) An instrument in force under subsection 64AA(3A) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument in force under that subsection as amended by this Schedule.

## 886 Report of stores and prohibited goods

(1) A report made under subsection 64AAA(2) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a report made under that subsection as amended by this Schedule.

(2) An instrument in force under subsection 64AAA(3A) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument in force under that subsection as amended by this Schedule.

## 887 Notifying Customs of particulars of cargo reporters

A report made under subsection 64AAB(2) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a report made under that subsection as amended by this Schedule.

## 888 Report to Customs of persons engaged to unload cargo

A report made under subsection 64AAC(2) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a report made under that subsection as amended by this Schedule.

## 889 Cargo reports

A report made under subsection 64AB(2) or (2A) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a report made under that subsection as amended by this Schedule.

## 890 Outturn reports

A report made under subsection 64ABAA(1), (2), (3) or (4) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a report made under that subsection as amended by this Schedule.

## 891 Passenger reports

(1) A report made under subsection 64ACA(1) of the *Customs Act 1901* before the commencement of this item has effect on and after that

commencement as if it were a report made under that subsection as amended by this Schedule.

(2) An approval in force under paragraph 64ACA(2)(a) or (b) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an approval in force under that paragraph as amended by this Schedule.

## 892 Crew reports

A report made under subsection 64ACB(1) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a report made under that subsection as amended by this Schedule.

## 893 Obligation to provide access to passenger information

A request made under subsection 64AF(1) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a request made under that subsection as amended by this Schedule.

## 894 Master or pilot of wrecked ship or aircraft to report

A report made under subsection 65(1) or (2) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a report made under that subsection as amended by this Schedule.

## 895 Special reporters

(1) The amendments made by this Schedule do not affect the continuity of a registration of a person under Subdivision C of Division 3 of Part IV of the *Customs Act 1901* that was in force immediately before the commencement of this item.

(2) Sections 67EE to 67EG of the *Customs Act 1901*, as amended by this Schedule, apply in relation to such a registration.

(3) A designation in force under subsection 67EC(4) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were a designation in force under that subsection as amended by this Schedule.

(4) A requirement made under subsection 67ED(5) or 67EK(12) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a requirement made under that subsection as amended by this Schedule.

(5) A thing done by the Chief Executive Officer of Customs under subsection 67EK(1) or (4) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a thing done under that subsection as amended by this Schedule.

(6) A code allocated to a person under section 67EL of the *Customs Act 1901* before the commencement of this item, where the person is registered under Subdivision C of Division 3 of Part IV of that Act immediately before that commencement, is taken on and after that commencement to have been a code allocated under that section as amended by this Schedule.

(7) A notice in force under subsection 67EM(1) of the *Customs Act 1901* immediately before the commencement of this item is taken on and after that commencement to have been a notice given under that subsection as amended by this Schedule.

(8) A decision by the Chief Executive Officer of Customs under section 67EM of the *Customs Act 1901* before the commencement of this item to cancel a registration is taken on and after that commencement to have been a decision by the Comptroller-General of Customs under that section to cancel that registration.

## 896 Re-mail reporters

(1) The amendments made by this Schedule do not affect the continuity of a registration of a person under Subdivision E of Division 3 of Part IV of the *Customs Act 1901* that was in force immediately before the commencement of this item.

(2) Any conditions of such a registration continue in force on and after that commencement.

(3) A request made under subsection 67G(2) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a request made under that subsection as amended by this Schedule.

(4) A decision by the Chief Executive Officer of Customs under section 67K of the *Customs Act 1901* before the commencement of this item to cancel a registration is taken on and after that commencement to have been a decision by the Comptroller-General of Customs under that section to cancel that registration.

## 897 Entry of imported goods

An entry made under subsection 68(3A) or (3B) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an entry made under that subsection as amended by this Schedule.

## 898 Special clearance goods

(1) An application to Customs under subsection 70(2) or (3) of the *Customs Act 1901* that was pending immediately before the commencement of this item has effect on and after that commencement as if it were an application under that subsection as amended by this Schedule.

(2) A notice given by an officer of Customs before the commencement of this item under subsection 70(4) or (8) of the *Customs Act 1901* is taken on and after that commencement to have been a notice given under that subsection by the Collector.

(3) A return given to Customs before the commencement of this item for the purposes of section 70 of the *Customs Act 1901* is taken on and after that commencement to have been a return given to the Department for the purposes of that section as amended by this Schedule.

## 899 Information and grant of authority to deal with goods not required to be entered

(1) Information given under section 71 of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been information given under that section as amended by this Schedule.

(2) An authority in force under section 71 of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an authority given under that section as amended by this Schedule.

(3) Subitem (2) is taken to apply to an authority that was suspended immediately before the commencement of this item. This subitem does not affect the period of suspension of the authority.

(4) A self-assessed clearance declaration advice given under subsection 71AAAG(1) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been given under that subsection as amended by this Schedule.

(5) A number given by Customs as mentioned in paragraph 71AAAG(2)(a) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a number given by a Collector.

(6) A direction given under section 71AAAH of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a direction given under that section as amended by this Schedule.

(7) A notice given under paragraph 71AAAP(6)(c) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice given under that paragraph as amended by this Schedule.

(8) An annotation made by Customs as mentioned in section 71AAAS of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been an annotation made by a Collector.

## 900 Import declaration

An import declaration communicated to Customs under section 71A of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been an import declaration communicated to the Department under that section as amended by this Schedule.

## 901 Warehoused goods declaration fee

A declaration processed by Customs as mentioned in subsection 71BA(1) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a declaration processed for the purposes of that subsection as amended by this Schedule.

## 902 Authority to deal with goods in respect of which an import declaration has been made

(1) An import declaration advice given under subsection 71C(1) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been given under that subsection as amended by this Schedule.

(2) A number given by Customs as mentioned in paragraph 71C(3)(a) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a number given by a Collector.

(3) An authority given under subsection 71C(4) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been an authority given under that subsection as amended by this Schedule.

(4) Subitem (3) is taken to apply to an authority that was suspended immediately before the commencement of this item. This subitem does not affect the period of suspension of the authority.

## 903 Visual examination in presence of officer

An application under subsection 71D(1) of the *Customs Act 1901* that was pending immediately before the commencement of this item has effect on and after that commencement as if it were an application under that subsection as amended by this Schedule.

## 904 Warehouse declaration

A warehouse declaration communicated to Customs under section 71DH of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a warehouse declaration communicated to the Department under that section as amended by this Schedule.

## 905 Authority to deal with goods in respect of which a warehouse declaration has been made

(1) A warehouse declaration advice given under subsection 71DJ(1) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a warehouse declaration advice given under that subsection as amended by this Schedule.

(2) A number given by Customs as mentioned in paragraph 71DJ(3)(a) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a number given by a Collector.

(3) An authority given under subsection 71DJ(4) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been an authority given under that subsection as amended by this Schedule.

(4) Subitem (3) is taken to apply to an authority that was suspended immediately before the commencement of this item. This subitem does not affect the period of suspension of the authority.

## 906 Visual examination in presence of officer

An application under subsection 71DK(1) of the *Customs Act 1901* that was pending immediately before the commencement of this item has effect on and after that commencement as if it were an application under that subsection as amended by this Schedule.

## 907 Application for movement permission

(1) An application under subsection 71E(1) of the *Customs Act 1901* that was pending immediately before the commencement of this item has effect on and after that commencement as if it were an application under that subsection as amended by this Schedule.

(2) A lien that Customs has under subsection 71E(6) of the *Customs Act 1901* immediately before the commencement of this item is taken on and after that commencement to be a lien that the Commonwealth has under that subsection as amended by this Schedule.

## 908 Withdrawal of import entries

(1) A withdrawal made under section 71F of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a withdrawal made under that section as amended by this Schedule.

(2) A notice given under paragraph 71F(7)(c) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice given under that paragraph as amended by this Schedule.

(3) An annotation made by Customs as mentioned in section 71J of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been an annotation made by a Collector.

## 909 Disclosure of information to cargo reporter or owner of goods

A request made under subsection 77AA(1), (2), (3), (4) or (5) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a request made under that subsection as amended by this Schedule.

## 910 Minister may order goods to be detained

(1) An order made under subsection 77EA(1) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an order made under that subsection as amended by this Schedule.

(2) An authorisation given under subsection 77EF(4) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an authorisation given under that subsection as amended by this Schedule.

## 911 Depots

An instrument referred to in the definition of ***International Mail Centre*** in subsection 77F(1) of the *Customs Act 1901*, being an instrument in force immediately before the commencement of this item, is taken on and after that commencement to be an instrument in force under subsection 77F(1A) of that Act.

## 912 Depot licences

(1) A licence in force under Part IVA of the *Customs Act 1901* immediately before the commencement of this item (including one varied under section 77LA of that Act) continues in force on and after that commencement as if it had been granted by the Comptroller-General of Customs.

(2) Any conditions of such a licence continue in force on and after that commencement. For this purpose, the conditions set out in subsections 77N(2) to (10) and section 77P of the *Customs Act 1901*, as amended by this Schedule, apply in relation to such a licence.

(3) Subitem (1) is taken to apply to a licence that was suspended immediately before the commencement of this item. This subitem does not affect the period of suspension of the licence.

(4) An application for a licence under Part IVA of the *Customs Act 1901* that was made to the Chief Executive Officer of Customs before the commencement of this item and that had not been decided before that commencement is taken on and after that commencement to have been an application made to the Comptroller-General of Customs.

(5) A notice given under subsection 77J(1) of the *Customs Act 1901* before the commencement of this item (including one modified under subsection 77J(2) of that Act) is taken on and after that commencement to have been a notice given under subsection 77J(1) of that Act as amended by this Schedule.

(6) An application under section 77LA of the *Customs Act 1901* that was made to the Chief Executive Officer of Customs before the commencement of this item and that had not been decided before that commencement is taken on and after that commencement to have been an application made to the Comptroller-General of Customs under that section as amended by this Schedule.

(7) A notice given under subsection 77LA(3) or 77V(1) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice given under that subsection as amended by this Schedule.

(8) If a notice was given by the Chief Executive Officer of Customs under paragraph 77Q(1B)(a) of the *Customs Act 1901* before the commencement of this item and the conditions in the notice had not taken effect before that commencement, then on and after that commencement the notice is taken to have been given by the Comptroller-General of Customs under that paragraph as amended by this Schedule.

(9) If a notice was given by the Chief Executive Officer of Customs under subsection 77Q(2) of the *Customs Act 1901* before the commencement of this item and the variation had not taken effect before that commencement, then on and after that commencement the notice is taken to have been given by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(10) A requirement made under subsection 77VA(2) or 77X(2) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a requirement made under that subsection as amended by this Schedule.

(11) A notice given under subsection 77VC(1) or (2) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice given under that subsection as amended by this Schedule.

(12) A request made under subsection 77VC(2) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a request made under that subsection as amended by this Schedule.

## 913 Warehouse licences

(1) A licence in force under Part V of the *Customs Act 1901* immediately before the commencement of this item (including one varied under section 81B of that Act) continues in force on and after that commencement as if it had been granted by the Comptroller-General of Customs.

(2) Any conditions of such a licence continue in force on and after that commencement. For this purpose, the condition set out in subsection 82(1) of the *Customs Act 1901*, as amended by this Schedule, applies in relation to such a licence.

(3) Subitem (1) is taken to apply to a licence that was suspended immediately before the commencement of this item. This subitem does not affect the period of suspension of the licence.

(4) An application for a licence under Part V of the *Customs Act 1901* that was made to the Chief Executive Officer of Customs before the commencement of this item and that had not been decided before that commencement is taken on and after that commencement to have been an application made to the Comptroller-General of Customs.

(5) A notice given under subsection 80A(1) of the *Customs Act 1901* before the commencement of this item (including one modified under subsection 80A(2) of that Act) is taken on and after that commencement to have been a notice given under subsection 80A(1) of that Act as amended by this Schedule.

(6) An application under section 81B or subsection 82(5) or 84(1) of the *Customs Act 1901* that was made to the Chief Executive Officer of Customs before the commencement of this item and that had not been decided before that commencement is taken on and after that commencement to have been an application made to the Comptroller-General of Customs under that section or subsection as amended by this Schedule.

(7) A notice given under subsection 81B(3), 86(1) or 87(4) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice given under that subsection as amended by this Schedule.

(8) If a notice was given by the Chief Executive Officer of Customs under paragraph 82A(2)(a) of the *Customs Act 1901* before the commencement of this item and the conditions in the notice had not taken effect before that commencement, then on and after that commencement the notice is taken to have been given by the Comptroller-General of Customs under that paragraph as amended by this Schedule.

(9) If a notice was given by the Chief Executive Officer of Customs under subsection 82B(1) of the *Customs Act 1901* before the commencement of this item and the variation had not taken effect before that commencement, then on and after that commencement the notice is taken to have been given by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(10) A requirement made under subsection 83(2) or 86(7) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a requirement made under that subsection as amended by this Schedule.

(11) A notice given under section 87 of the *Customs Act 1901* before the commencement of this item cancelling a warehouse licence is taken on and after that commencement to have been a notice given under that section as amended by this Schedule.

(12) A request made under subsection 87(1A) or (7) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a request made under that subsection as amended by this Schedule.

(13) Further time allowed by the Chief Executive Officer of Customs under subsection 87(6) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been further time allowed by the Comptroller-General of Customs under that subsection as amended by this Schedule.

## 914 Entry of goods without warehousing with permission of Customs

(1) An application made to Customs under subsection 100(1) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an application made to the Department under that subsection as amended by this Schedule.

(2) A permission in force under subsection 100(6) of the *Customs Act 1901* immediately before the commencement of this item continues in force on and after that commencement as if it were a permission given under that subsection as amended by this Schedule.

## 915 Notices to Customs by holder of warehouse licence

A notice given to Customs before the commencement of this item under subsection 102A(2) or (3) of the *Customs Act 1901* is taken on and after that commencement to have been a notice given to the Department under that subsection as amended by this Schedule.

## 916 Notifying Customs of cargo terminal

An instrument approving a form and in force under section 102C of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument approving that form and in force under that section as amended by this Schedule.

## 917 Obligations on cargo terminal operators and cargo handlers

(1) A notification given to Customs before the commencement of this item under section 102C, 102CA, 102CC or 102CD of the *Customs Act 1901* is taken on and after that commencement to have been a notification given to the Department under that section as amended by this Schedule.

(2) A sign placed by Customs before the commencement of this item as mentioned in subsection 102CB(1) of the *Customs Act 1901* is taken on and after that commencement to have been a sign placed by an officer of Customs.

(3) An instrument imposing obligations and in force under section 102CJ or 102DD of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument imposing obligations and in force under that section as amended by this Schedule.

(4) A direction given under section 102F of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been given a direction given under that section as amended by this Schedule.

## 918 Provisions relating to beverages

(1) A permission in force under paragraph 105(1)(b) of the *Customs Act 1901* immediately before the commencement of this item continues in force on and after that commencement as if it were a permission given under that paragraph as amended by this Schedule.

(2) An instrument of approval in force under paragraph 105(2)(a) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument of approval in force under that paragraph as amended by this Schedule.

## 919 Provisions relating to excise-equivalent goods

A return given to Customs before the commencement of this item under section 105C of the *Customs Act 1901* is taken on and after that commencement to have been a return given to the Department under that section as amended by this Schedule.

## 920 Information about persons departing Australia

(1) A report given to Customs before the commencement of this item under subsection 106B(1), 106C(1), 106D(1) or section 106F of the *Customs Act 1901* is taken on and after that commencement to have been a return given to the Department under that subsection or section as amended by this Schedule.

(2) An instrument of approval in force under subsection 106G(1) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument of approval in force under that subsection as amended by this Schedule.

(3) An acknowledgment sent by Customs before the commencement of this item as mentioned in subsection 106G(2) of the *Customs Act 1901* is taken on and after that commencement to have been an acknowledgment sent by a Collector.

## 921 Export declaration

(1) An export declaration communicated to Customs under section 114 of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been an export declaration

communicated to the Department under that section as amended by this Schedule.

(2) A refusal by Customs under subsection 114(8) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a refusal by a Collector under that subsection as amended by this Schedule.

(3) A withdrawal communicated to Customs as mentioned in subsection 114D(2) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a withdrawal communicated to the Department.

## 922 Confirming exporters

(1) An application made to the Chief Executive Officer of Customs under subsection 114B(1) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an application made to the Comptroller-General of Customs under that subsection as amended by this Schedule.

(2) A grant in force under section 114B of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were a grant in force under that section as amended by this Schedule.

(3) Any conditions of such a grant continue in force on and after that commencement.

## 923 Goods entered for export

(1) An export entry advice given under subsection 114C(1) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been an export entry advice given under that subsection as amended by this Schedule.

(2) An authority in force under subsection 114C(1) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an authority in force under that subsection as amended by this Schedule.

(3) Any conditions of such an authority continue in force on and after that commencement.

(4) Subitem (2) is taken to apply to an authority that was suspended immediately before the commencement of this item. This subitem does not affect the period of suspension of the authority.

(5) A notice given to Customs before the commencement of this item under subsection 114F(1A) or (1B) or 117AA(2) or (4) of the *Customs Act 1901* is taken on and after that commencement to have been a notice given to the Department under that subsection as amended by this Schedule.

(6) A submanifest communicated to Customs before the commencement of this item under subsection 117A(1) of the *Customs Act 1901* is taken on and after that commencement to have been a submanifest communicated to the Department under that subsection as amended by this Schedule.

(7) A notice sent by, and a submanifest number given by, Customs before the commencement of this item under subsection 117A(3) of the *Customs Act 1901* is taken on and after that commencement to have been a notice sent by, and a submanifest number given by, a Collector under that subsection as amended by this Schedule.

## 924 Certificate of Clearance

(1) An application made to the Chief Executive Officer of Customs under subsection 118(5) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an application made to the Comptroller-General of Customs under that subsection as amended by this Schedule.

(2) An instrument approving a form and in force under subsection 118(9) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument approving that form and in force under that subsection as amended by this Schedule.

(3) An outward manifest communicated to Customs before the commencement of this item under subsection 118A(2) or 119(1) of the *Customs Act 1901* is taken on and after that commencement to have been an outward manifest communicated to the Department under that subsection as amended by this Schedule.

## 925 Application for permission to move, alter or interfere with goods for export

An application made to Customs under subsection 119AA(2) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an application made to the Department under that subsection as amended by this Schedule.

## 926 Application for permission to move, alter or interfere with goods that are no longer for export

An application made to Customs under subsection 119AB(1) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an application made to the Department under that subsection as amended by this Schedule.

## 927 Withdrawal of entries, submanifests and manifests

A withdrawal communicated to Customs as mentioned in subsection 119A(1) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a withdrawal communicated to the Department.

## 928 Examining goods for export that are not yet subject to Customs control

An amount of compensation paid by Customs before the commencement of this item as mentioned in section 122Q of the *Customs Act 1901* is taken on and after that commencement to have been an amount paid by the Commonwealth.

## 929 Certificate of landing

A requirement made by the Chief Executive Officer of Customs under section 126 of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a requirement made by the Comptroller-General of Customs under that section as amended by this Schedule.

## 930 Electronic communications

(1) Systems established by the Chief Executive Officer of Customs before the commencement of this item as mentioned in section 126D of the

*Customs Act 1901* are taken on and after that commencement to have been systems established by the Comptroller-General of Customs.

(2) A publication made by the Chief Executive Officer of Customs under section 126DA of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a publication made by the Comptroller-General of Customs under that section as amended by this Schedule.

(3) Records kept by the Chief Executive Officer of Customs before the commencement of this item as mentioned in section 126DC of the *Customs Act 1901* are taken on and after that commencement to have been records kept by the Comptroller-General of Customs.

(4) A notice given by the Chief Executive Officer of Customs under subsection 126E(1) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice given by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(5) Information communicated to Customs before the commencement of this item as mentioned in subsection 126E(3) of the *Customs Act 1901* is taken on and after that commencement to have been information communicated to the Department.

(6) An undertaking given to Customs before the commencement of this item under subsection 126F(2) of the *Customs Act 1901* is taken on and after that commencement to have been an undertaking given to the Comptroller-General of Customs under that subsection as amended by this Schedule.

(7) A notification given by Customs before the commencement of this item as mentioned in subsection 126F(3) of the *Customs Act 1901* is taken on and after that commencement to have been a notification given by an officer of Customs.

## 931 Ships' stores and aircraft's stores

An instrument approving a form and in force under subsection 127(7) or 129(6) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument approving that form and in force under that subsection as amended by this Schedule.

## 932 Duties—general

(1) A notice published by the Chief Executive Officer of Customs under subsection 132B(1) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice published by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(2) An order made by the Chief Executive Officer of Customs and in force under subsection 132B(3) of the *Customs Act 1901* immediately before the commencement of this item (including an order varied under section 132C of that Act) is taken on and after that commencement to have been an order made by the Comptroller-General of Customs under subsection 132B(3) of that Act as amended by this Schedule.

(3) A requirement made by Customs before the commencement of this item as mentioned in subsection 132B(8) of the *Customs Act 1901* is taken on and after that commencement to have been a requirement made by the Commonwealth.

(4) A security taken by Customs before the commencement of this item as mentioned in subsection 132B(8) of the *Customs Act 1901* is taken on and after that commencement to have been a security taken by the Commonwealth.

(5) An approval in force under subsection 137(3) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an approval in force under that subsection as amended by this Schedule.

## 933 Duties—alcoholic beverages

An instrument in force under subsection 153AC(1) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument in force under that subsection as amended by this Schedule.

## 934 Duties—preference claim goods

(1) A notice given by the Chief Executive Officer of Customs under subsection 153E(4), (5) or (6), paragraph 153L(1)(c) or (4)(b), 153P(2)(c) or 153Q(1)(c), subsection 153R(1) or paragraph 153VA(d) of the *Customs Act 1901* before the commencement of this item is taken

on and after that commencement to have been a notice given by the Comptroller-General of Customs under that subsection or paragraph as amended by this Schedule.

(2) A determination made by the Chief Executive Officer of Customs and in force under subsection 153LA(1), 153VC(1) or (2), 153VD(1) or 153ZIH(2) of the *Customs Act 1901* immediately before the commencement of this item is taken on and after that commencement to have been a determination made by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(3) A requirement made by the Chief Executive Officer of Customs under section 153UC of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a requirement made by the Comptroller-General of Customs under that section as amended by this Schedule.

## 935 Valuation of imported goods

(1) A notice in force under subsection 161J(2) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were a notice given under that subsection as amended by this Schedule.

(2) A determination made by the Chief Executive Officer of Customs and in force under paragraph 161J(3)(b) of the *Customs Act 1901* immediately before the commencement of this item is taken on and after that commencement to have been a determination made by the Comptroller-General of Customs under that paragraph as amended by this Schedule.

(3) If a review by the Chief Executive Officer of Customs as mentioned in subsection 161L(1) of the *Customs Act 1901* was pending immediately before the commencement of this item, then on and after that commencement the Comptroller-General of Customs is to complete that review.

(4) A decision made by the Chief Executive Officer of Customs under subsection 161L(1) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a decision made by the Comptroller-General of Customs under that subsection as amended by this Schedule.

## 936 Payment and recovery of deposits, refunds and unpaid duty

(1) A period allowed by the Chief Executive Officer of Customs before the commencement of this item under subparagraph 162(3)(b)(i) or 162A(5)(b)(ii) of the *Customs Act 1901* is taken on and after that commencement to have been a period allowed by the Comptroller-General of Customs under that subparagraph as amended by this Schedule.

(2) A security or undertaking accepted by the Chief Executive Officer of Customs before the commencement of this item as mentioned in subsection 162A(2) of the *Customs Act 1901* is taken on and after that commencement to have been a security or undertaking accepted by the Comptroller-General of Customs.

(3) A direction given under section 164B of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a direction given under that section as amended by this Schedule.

(4) A demand made by the Chief Executive Officer of Customs under subsection 165(3) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a demand made by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(5) A notice given by the Chief Executive Officer of Customs under subsection 165A(2) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice given by the Comptroller-General of Customs under that subsection as amended by this Schedule.

## 937 Disputes as to duty

A notice given to Customs before the commencement of this item under subsection 167(3) of the *Customs Act 1901* is taken on and after that commencement to have been a notice given to the Collector under that subsection as amended by this Schedule.

## 938 Coasting trade

An instrument approving a form and in force under subsection 175(3G) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument approving that form and in force under that subsection as amended by this Schedule.

## 939 Agents and customs brokers

(1) A notice in force under subsection 181(2) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were a notice given under that subsection as amended by this Schedule.

(2) A notice given by the Chief Executive Officer of Customs under subsection 183CK(1) or (2), section 183CP or subsection 183CQ(1) or 183CS(1) or (2) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice given by the Comptroller-General of Customs under that subsection or section as amended by this Schedule.

(3) A licence in force under Division 3 of Part XI of the *Customs Act 1901* immediately before the commencement of this item (including one varied under section 183CF of that Act), continues in force on and after that commencement as if it had been granted by the Comptroller-General of Customs.

(4) Any conditions of such a licence continue in force on and after that commencement. For this purpose, the conditions set out in subsections 183CG(1) and (3) of the *Customs Act 1901*, as amended by this Schedule, apply in relation to such a licence.

(5) Subitem (3) is taken to apply to a licence that was suspended immediately before the commencement of this item. This subitem does not affect the period of suspension of the licence.

(6) An application for a licence under Division 3 of Part XI of the *Customs Act 1901* that was made to the Chief Executive Officer of Customs before the commencement of this item and that had not been decided before that commencement is taken on and after that commencement to have been an application made to the Comptroller-General of Customs.

(7) An application referred by the Chief Executive Officer of Customs to the Committee before the commencement of this item as mentioned in subsection 183CB(1) of the *Customs Act 1901* is taken on and after that commencement to have been an application referred by the Comptroller-General of Customs.

(8) A report to the Chief Executive Officer of Customs before the commencement of this item as mentioned in subsection 183CB(2) of the *Customs Act 1901* is taken on and after that commencement to have been a report to the Comptroller-General of Customs.

(9) An exemption given by the Chief Executive Officer of Customs under subsection 183CC(3) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been an exemption given by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(10) An approval given by the Chief Executive Officer of Customs under subsection 183CC(5) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been an approval given by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(11) An application under section 183CF or subsection 183CG(7) or 183CJ(1) of the *Customs Act 1901* that was made to the Chief Executive Officer of Customs before the commencement of this item and that had not been decided before that commencement is taken on and after that commencement to have been an application made to the Comptroller-General of Customs under that section or subsection as amended by this Schedule.

(12) If a notice was given by the Chief Executive Officer of Customs under paragraph 183CGA(2)(a) of the *Customs Act 1901* and the conditions in the notice had not taken effect before that commencement, then on and after that commencement the notice is taken to have been given by the Comptroller-General of Customs under that paragraph as amended by this Schedule.

(13) If a notice was given by the Chief Executive Officer of Customs under subsection 183CGB(1) of the *Customs Act 1901* and the variation had not taken effect before that commencement, then on and after that commencement the notice is taken to have been given by the

Comptroller-General of Customs under that subsection as amended by this Schedule.

(14) A question referred by the Chief Executive Officer of Customs to the Committee before the commencement of this item as mentioned in subsection 183CQ(5) of the *Customs Act 1901* is taken on and after that commencement to have been a question referred by the Comptroller-General of Customs.

(15) A report to the Chief Executive Officer of Customs before the commencement of this item as mentioned in subsection 183CQ(7) of the *Customs Act 1901* is taken on and after that commencement to have been a report to the Comptroller-General of Customs.

(16) A request made by the Chief Executive Officer of Customs before the commencement of this item as mentioned in paragraph 183D(2)(d) of the *Customs Act 1901* is taken on and after that commencement to have been a request made by the Comptroller-General of Customs.

(17) An appointment made under subsection 183DA(3), 183DC(1) or 183DD(1) of the *Customs Act 1901* and that was in force immediately before the commencement of this item is taken on and after that commencement to have been an appointment made by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(18) An instrument in force under subsection 183DA(5) or 183DD(2) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an instrument in force under that subsection as amended by this Schedule.

(19) A determination in force under subsection 183DC(3) or 183DD(3) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were a determination in force under that subsection as amended by this Schedule.

## 940 Customs place

An instrument referred to in paragraph (f) of the definition of ***Customs place*** in subsection 183UA(1) of the *Customs Act 1901*, being an instrument in force immediately before the commencement of this item, is taken on and after that commencement to be an instrument in force under subsection 183UA(2) of that Act.

## 941 Person assisting

An authorisation of a person before the commencement of this item as mentioned in paragraph (b) of the definition of ***person assisting*** in subsection 183UA(1) of the *Customs Act 1901* is taken on and after that commencement to have been an authorisation by the Comptroller-General of Customs.

## 942 Powers of officers

(1) An arrangement made under subsection 201(1B) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were an arrangement made under that subsection as amended by this Schedule.

(2) A notice given under subsection 203T(2) of the *Customs Act 1901* before the commencement of this item has effect on and after that commencement as if it were a notice given under that subsection as amended by this Schedule.

(3) A claim made to the Chief Executive Officer of Customs under section 205B of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a claim made to the Comptroller-General of Customs under that section as amended by this Schedule.

(4) Goods dealt with in accordance with subsection 206(1), (1A) or (2) or 209J(1) of the *Customs Act 1901* before the commencement of this item are taken on and after that commencement to have been dealt with in accordance with that subsection as amended by this Schedule.

(5) A notice given or published by the Chief Executive Officer of Customs under subsection 206(3) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to

have been a notice given or published by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(6) A security given to the Chief Executive Officer of Customs under section 208 of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a security given to the Comptroller-General of Customs under that section as amended by this Schedule.

(7) Directions in force under paragraph 208D(a), subsection 209K(1) or section 209R of the *Customs Act 1901* immediately before the commencement of this item continue in force on and after that commencement as if they were directions in force under that paragraph, subsection or section as amended by this Schedule.

(8) A notification to, or evidence provided to, Customs before the commencement of this item as mentioned in section 209X, 209Z or 209ZA of the *Customs Act 1901* is taken on and after that commencement to have been a notification to, or evidence provided to, the Department.

## 943 Security identification cards

A determination in force under paragraph 213B(3)(b) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were a determination in force under that paragraph as amended by this Schedule.

## 944 Monitoring powers

(1) Information communicated by a person to Customs as mentioned in paragraph 214AB(2)(e), 214AE(1)(c) or 214AF(2)(c) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been information communicated by the person to the Department.

(2) An authorisation in force under subsection 214AC(1) or 214BAD(1) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an authorisation in force under that subsection as amended by this Schedule.

## 945 Disposal of abandoned goods

Expenses incurred by the Customs before the commencement of this item as mentioned in subsection 218A(3) of the *Customs Act 1901* are taken on and after that commencement to have been expenses incurred by the Commonwealth.

## 946 Detention and search of suspects

(1) An application by the Chief Executive Officer of Customs under section 219SB, 219T, 219U, 219V or 219X of the *Customs Act 1901* that was pending immediately before the commencement of this item has effect on and after that commencement as if it were an application by the Comptroller-General of Customs under that section as amended by this Schedule.

(2) The amendments made by this Schedule do not affect the validity of an order made before the commencement of this item under section 219T, 219U, 219V or 219X of the *Customs Act 1901*. Such an order made in relation to an application by the Chief Executive Officer of Customs is taken on and after that commencement to have been an order made in relation to an application by the Comptroller-General of Customs.

(3) A statement made by the Chief Executive Officer of Customs before the commencement of this item as mentioned in subsection 219ZAB(3) of the *Customs Act 1901* is taken on and after that commencement to have been a statement made by the Comptroller-General of Customs.

(4) An authorisation in force under subsection 219ZAC(1) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an authorisation in force under that subsection as amended by this Schedule.

(5) A specification under subsection 219ZAC(1) of the *Customs Act 1901* that was in force immediately before the commencement of this item is taken on and after that commencement to have been a specification under that subsection as amended by this Schedule.

(6) Directions of the Chief Executive Officer of Customs in force under subsection 219ZH(3) of the *Customs Act 1901* immediately before the commencement of this item have effect on and after that commencement as if they were directions of the Comptroller-General of Customs in force under that subsection.

## 947 Special provisions relating to prohibited items

(1) Conditions in force under subsection 227F(7) of the *Customs Act 1901* immediately before the commencement of this item have effect on and after that commencement as if they were conditions in force under that subsection as amended by this Schedule.

(2) Activity undertaken by or on behalf of Customs before the commencement of this item as mentioned in paragraph 227G(1)(a) of the *Customs Act 1901* is taken on and after that commencement to have been activity undertaken by or on behalf of the Commonwealth.

## 948 Protection from criminal responsibility

Section 233BABA of the *Customs Act 1901*, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to a person who was an officer of Customs at any time before that commencement.

## 949 Evidence of analyst

An appointment in force under subsection 233BA(1) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an appointment in force under that subsection as amended by this Schedule.

## 950 Customs offences

A thing treated or taken to be a statement made to the Chief Executive Officer of Customs before the commencement of this item as mentioned in subsection 234(2A), (2B), (2BA), (2BB) or (2BC) of the *Customs Act 1901* is taken on and after that commencement to have been a thing treated or taken to be a statement made to the Comptroller-General of Customs.

## 951 Places set aside for purposes of Act

A notice in force under subsection 234AA(3) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were a notice in force under that subsection as amended by this Schedule.

## 952 Unauthorised entry to places and on ships, aircraft or wharves

A determination in force under paragraph 234A(1A)(e) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were a determination in force under that paragraph as amended by this Schedule.

## 953 Verifying communications to Customs

Section 240AB of the *Customs Act 1901* applies on and after the commencement of this item as if a reference in that section to a communication to the Department included a reference to a communication to Customs.

## 954 Pecuniary penalties

(1) Proceedings instituted by the Chief Executive Officer of Customs, on behalf of the Commonwealth, under subsection 243B(1) of the *Customs Act 1901* that were pending in a court immediately before the commencement of this item are taken on and after that commencement to have been proceedings instituted under that subsection by the Comptroller-General of Customs, on behalf of the Commonwealth.

(2) An application by the Chief Executive Officer of Customs under paragraph 243CA(2)(a) of the *Customs Act 1901* that was pending in a court immediately before the commencement of this item is taken on and after that commencement to have been an application by the Comptroller-General of Customs under that paragraph as amended by this Schedule.

(3) An application by the Chief Executive Officer of Customs under subsection 243E(1) of the *Customs Act 1901* that was pending in a court immediately before the commencement of this item is taken on and after that commencement to have been an application by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(4) For the purposes of an application referred to in subitem (3), if, before the commencement of this item, the Chief Executive Officer of Customs had given an undertaking mentioned in subsection 243E(6) of the *Customs Act 1901*, the undertaking is taken on and after that

commencement to have been an undertaking given by the Comptroller-General of Customs.

(5) An application by the Chief Executive Officer of Customs under subsection 243F(2), 243G(2A) or 243K(2) of the *Customs Act 1901* that was pending in a court immediately before the commencement of this item is taken on and after that commencement to have been an application by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(6) An order in force under subsection 243F(1) of the *Customs Act 1901* immediately before the commencement of this item directing a person to give the Chief Executive Officer of Customs a statement (where the statement had not been given before that commencement) is taken on and after that commencement to be an order directing the person to give the Comptroller-General of Customs the statement.

(7) If before the commencement of this item a person gave a statement to the Chief Executive Officer of Customs under an order under subsection 243F(1) of the *Customs Act 1901*, then on and after that commencement the statement is taken to have been given to the Comptroller-General of Customs under that order.

(8) Subsection 243L(1) of the *Customs Act 1901* applies on and after the commencement of this item as if a reference in that subsection to the Comptroller-General of Customs included a reference to the Chief Executive Officer of Customs.

## 955 Failure to answer questions

A nomination in force immediately before the commencement of this item as mentioned in paragraph 243SA(2)(a) of the *Customs Act 1901* is taken on and after that commencement to have been a nomination to a monitoring officer.

## 956 Electronic communications

An electronic communication taken to be a statement made to the Chief Executive Officer of Customs before the commencement of this item as mentioned in section 243W of the *Customs Act 1901* is taken on and after that commencement to be a statement made to the Comptroller-General of Customs.

## 957 Infringement notices

Directions in force under subsection 243Y(3) of the *Customs Act 1901* immediately before the commencement of this item have effect on and after that commencement as if they were directions in force under that subsection as amended by this Schedule.

## 958 Customs prosecutions

(1) Proceedings instituted by the Chief Executive Officer of Customs in the name of the office of the Chief Executive Officer of Customs under Part XIV of the *Customs Act 1901* that were pending in a court immediately before the commencement of this item are taken on and after that commencement to have been proceedings instituted by the Comptroller-General of Customs.

(2) A certification under section 256 of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a certification under that section as amended by this Schedule.

(3) A direction in force under subsection 264(1) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were a direction in force under that subsection as amended by this Schedule.

## 959 Tenders for rights to enter goods for home consumption at concessional rates

(1) An undertaking given before the commencement of this item under subsection 267(1) or 268(2) of the *Customs Act 1901* is taken on and after that commencement to have been an undertaking given under that subsection as amended by this Schedule.

(2) An approval in force under subsection 268(1) of the *Customs Act 1901* immediately before the commencement of this item has effect on and after that commencement as if it were an approval in force under that subsection as amended by this Schedule.

(3) A security given before the commencement of this item under subsection 268(2) of the *Customs Act 1901* is taken on and after that commencement to have been a security given under that subsection as amended by this Schedule.

## 960 Tariff concession orders

(1) Directions in force under subsection 269D(4) of the *Customs Act 1901* immediately before the commencement of this item have effect on and after that commencement as if they were directions in force under that subsection as amended by this Schedule.

(2) An application under subsection 269F(1) or 269SH(1) of the *Customs Act 1901* that was pending immediately before the commencement of this item has effect on and after that commencement as if it were an application under that subsection as amended by this Schedule.

(3) A notice published under subsection 269G(3), 269HA(2) or 269K(1), paragraph 269L(4B)(b), subsection 269N(4), paragraph 269R(1)(b), subsection 269SC(1A), 269SD(1AA), 269SE(2), 269SH(3A), paragraph 269SH(10)(b) or subsection 269SHA(2) or 269SJ(3) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice published under that subsection or paragraph as amended by this Schedule.

(4) A notice given by the Chief Executive Officer of Customs under subsection 269H(1), paragraph 269HA(1)(b), subsection 269L(1), 269M(1) or (4) or paragraph 269R(1)(a), 269SE(1)(a) or 269SH(10)(a) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice given by the Comptroller-General of Customs under that subsection or paragraph as amended by this Schedule.

(5) If, under section 269H of the *Customs Act 1901* and before the commencement of this item, the Chief Executive Officer of Customs accepted an application as a valid application, then on and after that commencement the Comptroller-General of Customs is taken to have accepted that application as a valid application.

(6) A declaration under section 269J of the *Customs Act 1901* that was in force immediately before the commencement of this item has effect on and after that commencement as if it were a declaration in force under that section as amended by this Schedule.

(7) A submission lodged with the Chief Executive Officer of Customs under section 269K, 269M or 269SD of the *Customs Act 1901* before the commencement of this item is taken on and after that

commencement to have been a submission lodged with the Comptroller-General of Customs under that section as amended by this Schedule.

(8) A notification to or by the Chief Executive Officer of Customs under subsection 269L(2), paragraph 269L(4B)(a) or subsection 269L(5) or 269N(3) or (5) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notification to or by the Comptroller-General of Customs under that subsection or paragraph as amended by this Schedule.

(9) A thing done by the Chief Executive Officer of Customs under subsection 269L(4) or 269M(6) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a thing done by the Comptroller-General of Customs under that subsection as amended by this Schedule.

(10) A tariff concession order made under section 269P or 269Q of the *Customs Act 1901*, or taken to be made under that section because of the operation of section 269SC of that Act, and that was in force immediately before the commencement of this item is taken on and after that commencement to have been a tariff concession order made under section 269P or 269Q of that Act as amended by this Schedule (as the case requires).

(11) A request made under section 269SB of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a request made under that section as amended by this Schedule.

## 961 Special provisions relating to anti-dumping duties

(1) Information disclosed under subsection 269SMT(1) of the *Customs Act 1901* to the Chief Executive Officer of Customs before the commencement of this item is taken on and after that commencement to have been information disclosed to the Comptroller-General of Customs under that subsection as amended by this Schedule.

(2) Section 269TN of the *Customs Act 1901* applies on and after the commencement of this item as if a reference in that section to the Commonwealth having the right to require and take a security included

a reference to the Customs having the right to require and take a security.

## 962 International Trade Remedies Forum

Information disclosed under subsection 269ZZYH(1) of the *Customs Act 1901* to the Chief Executive Officer of Customs before the commencement of this item is taken on and after that commencement to have been information disclosed to the Comptroller-General of Customs under that subsection as amended by this Schedule.

## 963 By-laws and determinations

A by-law or determination that was in force immediately before the commencement of this item under Part XVI of the *Customs Act 1901* is taken on and after that commencement to be a by-law or determination in force under that Part as amended by this Schedule.

## 964 Miscellaneous

(1) Subsections 273GA(1) and (6A) and 273H(1) of the *Customs Act 1901* apply on and after the commencement of this item as if a decision made by the Chief Executive Officer of Customs before that commencement were a decision made by the Comptroller-General of Customs.

(2) An application under section 273GA or 273H of the *Customs Act 1901* that was pending in the Administration Appeals Tribunal immediately before the commencement of this item may continue to be dealt with by the Tribunal on and after that commencement.

## 965 Part does not limit operation of section 7 of the *Acts Interpretation Act 1901*

This Part does not limit the operation of section 7 of the *Acts Interpretation Act 1901*.

# Schedule 2—Repeal of Customs Administration Act

## Part 1—Repeals

### *Customs Administration Act 1985*

#### 1 The whole of the Act

Repeal the Act.

# Part 2—Consequential amendments

## *Commerce (Trade Descriptions) Act 1905*

### 2 Subsection 5(4)

Omit "Without limiting the generality of the power conferred on the CEO under subsection 4(4) of the *Customs Administration Act 1985*, the CEO may give directions in writing under that subsection concerning", substitute "The Comptroller-General of Customs may, by writing, give directions concerning".

### 3 Paragraph 5(4)(c)

Omit "CEO", substitute "Comptroller-General of Customs".

## *Horticulture Marketing and Research and Development Services Act 2000*

### 4 Section 26A

Omit "Horticulture Australia Limited", substitute "Horticulture Innovation Australia Limited".

### 5 Section 26A

Omit "a Commonwealth agency for the purposes of section 16 of the *Customs Administration Act 1985*", substitute "an authority of the Commonwealth for the purposes of Part 6 of the *Australian Border Force Act 2015*".

### 6 Section 26A (note)

Repeal the note, substitute:

Note: Part 6 of the *Australian Border Force Act 2015* allows certain persons to disclose information to authorities of the Commonwealth in certain circumstances.

## *Quarantine Act 1908*

### 7 Subsection 16AC(6)

Omit "a person to whom section 16 of the *Customs Administration Act 1985* applies may, despite that section", substitute "an entrusted person (within the meaning of the *Australian Border Force Act 2015*) may, despite Part 6 of the *Australian Border Force Act 2015*".

# Part 3—Saving provisions

## 8 Saving provisions

*Reporting of serious misconduct*

(1) Despite the repeal of the *Customs Administration Act 1985* made by this Schedule, subsections 4C(2) and (3) of that Act, as in force immediately before the commencement of this item, continue to apply on and after that commencement in relation to information given, an answer given or a document produced before that commencement.

*Declaration of serious misconduct*

(2) Despite the repeal of the *Customs Administration Act 1985* made by this Schedule, section 15A of that Act, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to a declaration that was made under subsection 15A(2) of that Act before that commencement.

*Secrecy*

(3) Despite the repeal of the *Customs Administration Act 1985* made by this Schedule, section 16 of that Act, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to the making of a record, or the disclosure, of protected information before that commencement.

*Alcohol and drug tests*

(4) Despite the repeal of the *Customs Administration Act 1985* made by this Schedule, that Act and the regulations under that Act, as in force immediately before the commencement of this item, continue to apply on and after that commencement in relation to the following:

(a) a requirement given under subsection 16B(1) of that Act before that commencement;

(b) a direction given under subsection 16C(1) of that Act before that commencement;

(c) an incident that occurred before that commencement in relation to which paragraphs 16D(1)(a) and (b) of that Act applied or paragraph 16D(2)(a) or (b) of that Act applied;

(d) a direction given under subsection 16D(3) or (5) of that Act before that commencement.

For the purposes of that Act and those regulations continuing to so apply:

(e) the Customs worker concerned is taken to continue to be a Customs worker on and after that commencement; and

(f) a person who was an authorised officer under that Act immediately before that commencement is taken to continue to be an authorised officer on and after that commencement.

(5) Despite the repeal of the *Customs Administration Act 1985* made by this Schedule, section 16G of that Act, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to the following:

(a) a certificate or other document recording the results of a test conducted under section 16B, 16C or 16D of that Act;

(b) any other information, answer to a question or document relevant to conducting such a test.

For the purposes of section 16G of that Act continuing to so apply:

(c) the Customs worker concerned is taken to continue to be a Customs worker on and after that commencement; and

(d) a reference in paragraph 16G(c) of that Act to the CEO is taken to include a reference to the Secretary of the Department.

*Interpretation*

(6) This item does not limit the operation of section 7 of the *Acts Interpretation Act 1901*.

# Schedule 3—Amendments of Migration Act

## *Migration Act 1958*

### 1 Subsection 5(1)

Insert:

> ***Australian Border Force Commissioner*** has the same meaning as in the *Australian Border Force Act 2015*.

### 2 Subsection 5(1) (definition of *authorised officer*)

Omit "or the Secretary", substitute ", the Secretary or the Australian Border Force Commissioner".

### 3 Subsection 5(1) (subparagraph (a)(ii) of the definition of *immigration detention*)

After "Secretary", insert "or Australian Border Force Commissioner".

### 4 Subsection 5D(1)

Omit "or Secretary", substitute ", Secretary or Australian Border Force Commissioner".

### 5 Subsection 137(1)

After "Secretary" (wherever occurring), insert "or Australian Border Force Commissioner".

### 6 Subsection 137(2)

After "Secretary" (first occurring), insert "or Australian Border Force Commissioner".

### 7 Subsection 137(2)

After "Secretary" (second occurring), insert ", the Australian Border Force Commissioner".

### 8 Subsection 137(4)

After "Secretary" (wherever occurring), insert "or Australian Border Force Commissioner".

## 9 Paragraph 140XD(1)(a)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 10 Section 140XJ (heading)

Repeal the heading, substitute:

### 140XJ Disclosure of information by the Secretary or Australian Border Force Commissioner

## 11 Subsection 140XJ(2)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 12 Subsection 213(1)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 13 Section 216

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 14 Subsections 217(1) and (2)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 15 Subsections 218(1) and (2)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 16 Paragraph 219(b)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 17 Subsections 222(1) and (2)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 18 Section 223 (heading)

Repeal the heading, substitute:

### 223 Secretary or Australian Border Force Commissioner may give direction about valuables of detained non-citizens

## 19 Sections 223 and 224

After "Secretary" (wherever occurring), insert "or Australian Border Force Commissioner".

## 20 Paragraphs 247(2)(a) and (b), (3)(b) and (4)(c)

After "Secretary", insert "or Australian Border Force Commissioner".

## 21 Subsection 251(4)

After "Secretary", insert "or Australian Border Force Commissioner".

## 22 Subparagraph 252A(3)(c)(i)

After "Secretary", insert "or Australian Border Force Commissioner".

## 23 Subsections 253(8) and (9)

Omit "or the Secretary", substitute ", Secretary or Australian Border Force Commissioner".

## 24 Subsection 254(2)

After "Secretary", insert "or Australian Border Force Commissioner".

## 25 Subsections 259(1) and (2)

After "Secretary", insert "or Australian Border Force Commissioner".

## 26 Subsection 260(1)

After "Secretary", insert "or Australian Border Force Commissioner".

## 27 Subsection 260(1)

After "Secretary's", insert "or Australian Border Force Commissioner's".

## 28 Subsections 260(2), (4) and (5)

After "Secretary" (wherever occurring), insert "or Australian Border Force Commissioner".

## 29 Subsections 261(1) and (2)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 30 Subsection 261AE(8) (definition of *senior authorising officer*)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 31 Subsections 261AK(3) and (4)

After “Secretary”, insert “, Australian Border Force Commissioner”.

## 32 Subsection 261AK(10) (definition of *senior authorising officer*)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 33 Subsections 261AKC(1), (2) and (3)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 34 Subparagraph 261D(3)(d)(i)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 35 At the end of paragraph 261D(3)(e)

Add “or Australian Border Force Commissioner”.

## 36 Subsections 261E(1) and (2)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 37 Subparagraph 261F(1)(a)(i)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 38 Paragraph 261G(1)(c)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 39 Subsection 261G(1) (notes 1 and 2)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 40 Subsection 261G(2)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 41 Subsection 261H(1)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 42 Section 263 (heading)

Repeal the heading, substitute:

### 263 Secretary or Australian Border Force Commissioner able to issue notice of debt

## 43 Paragraph 263(b)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 44 Subsections 264(1), (3) and (5)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 45 Section 266

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 46 Subsections 267(1), (2) and (3)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 47 Subsections 268BA(1) and (2)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 48 Subsection 268BA(2) (note)

After “Secretary”, insert “or Australian Border Force Commissioner”.

### 49 Subsections 268BC(1) and (2)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

### 50 Subsections 268BD(1) and (2)

After “Secretary”, insert “or Australian Border Force Commissioner”.

### 51 Subsection 268BD(2) (note)

After “Secretary”, insert “or Australian Border Force Commissioner”.

### 52 Subsections 268BN(1) and (3)

After “Secretary”, insert “or Australian Border Force Commissioner”.

### 53 Subsection 268CZA(1)

After “Secretary”, insert “or Australian Border Force Commissioner”.

### 54 At the end of paragraph 268CZA(2)(c)

Add “or Australian Border Force Commissioner”.

### 55 Section 274 (heading)

Repeal the heading, substitute:

**274 Secretary or Australian Border Force Commissioner may issue documents containing information concerning certain persons**

### 56 Subsection 274(2)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

### 57 Paragraph 274(3)(b)

After “Secretary’s”, insert “or Australian Border Force Commissioner’s”.

### 58 Paragraph 274(3)(c)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 59 Subsections 336D(1), (2) and (3)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 60 Subsections 336F(1) and (2)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 61 Subsections 336FC(1), (2), (3) and (4)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 62 Sections 478 and 479

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 63 Section 487B (heading)

Repeal the heading, substitute:

**487B Secretary or Australian Border Force Commissioner may require a person to give information or produce a document**

## 64 Subsection 487B(1)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 65 Subsection 487Y(1)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 66 Subsection 487Y(3)

After “The Secretary”, insert “or Australian Border Force Commissioner”.

## 67 Paragraph 487Y(3)(c)

After “Secretary”, insert “, the Australian Border Force Commissioner”.

## 68 Subsections 487Z(1) and (2)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 69 Subsections 487ZA(1) and (2)

After “Secretary” (wherever occurring), insert “or Australian Border Force Commissioner”.

## 70 Subsection 487ZG(1)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 71 Paragraph 487ZG(3)(a)

After “Secretary”, insert “or Australian Border Force Commissioner”.

## 72 At the end of paragraph 487ZG(4)(c)

Add “or Australian Border Force Commissioner”.

## 73 Saving provisions

(1) The amendment of the definition of ***authorised officer*** in subsection 5(1) of the *Migration Act 1958* made by this Schedule does not affect the validity of an authorisation that is in force immediately before the commencement of this item.

(2) The amendments of subsections 253(8) and (9) of the *Migration Act 1958* made by this Schedule do not affect the validity of a direction under subsection 253(8) of that Act, or an order under subsection 253(9) of that Act, that is in force immediately before the commencement of this item.

# Schedule 4—Amendments of Work Health and Safety Act

## *Work Health and Safety Act 2011*

### 1 Section 4

Insert:

***Australian Border Force*** has the same meaning as in the *Australian Border Force Act 2015*.

***Australian Border Force Commissioner*** has the same meaning as in the *Australian Border Force Act 2015*.

***Australian Border Force worker*** means the following persons:

(a) a person who is covered by paragraph (a) of the definition of ***Immigration and Border Protection worker*** in subsection 4(1) of the *Australian Border Force Act 2015* and who is in the Australian Border Force or whose services are made available to the Australian Border Force;

(b) a person who is covered by paragraph (b), (c), (d), (e) or (f) of that definition and whose services are made available to, or who is performing services for, the Australian Border Force.

***Immigration and Border Protection Secretary*** means the Secretary of the Department administered by the Minister administering the *Australian Border Force Act 2015*.

### 2 After subsection 12C(2A)

Insert:

(2B) Without limiting the generality of subsection (1), the Australian Border Force Commissioner may, by instrument in writing, declare that specified provisions of this Act do not apply, or apply subject to modifications set out in the declaration, in relation to an Australian Border Force worker.

(2C) The Australian Border Force Commissioner must consult the Immigration and Border Protection Secretary and the Director-General of Security before making an instrument under subsection (2B).

## 3 Subsection 12C(3)

Omit "subsection (2) or (2A)", substitute "subsection (2), (2A) or (2B)".

## 4 At the end of section 12C

Add:

(6) In controlling the operations of the Australian Border Force and in the exercise of the power under subsection (2B), the Australian Border Force Commissioner must take into account the need to promote the objects of this Act to the greatest extent consistent with the maintenance of Australia's national security.

## 5 After subsection 12D(2)

Insert:

(2A) Without limiting the generality of subsection (1), the Australian Border Force Commissioner may, by instrument in writing, declare that specified provisions of this Act do not apply, or apply subject to such modifications as are set out in the declaration, in relation to:

(a) a specified operation of the Australian Border Force; or

(b) a specified Australian Border Force worker; or

(c) Australian Border Force workers included in a specified class of such workers.

(2B) The Australian Border Force Commissioner must consult the Immigration and Border Protection Secretary and the Chief of the Defence Force before making an instrument under subsection (2A).

## 6 Subsection 12D(3)

After "subsection (2)", insert "or (2A)".

## 7 At the end of section 12D

Add:

(5) In the exercise of the power under subsection (2A), the Australian Border Force Commissioner must take into account the need to promote the objects of this Act to the greatest extent consistent with the maintenance of Australia's defence.

## 8 Paragraph 273B(1)(b)

After "section 12D(2)", insert "or (2A)".

## 9 Paragraph 273B(2)(a)

Omit "section 12C(2) or (2A)", substitute "section 12C(2), (2A) or (2B)".

# Schedule 5—Amendments of Acts referring to the Customs

## *Air Services Act 1995*

### 1 Subsection 3(1) (paragraph (b) of the definition of *authority of the Commonwealth*)

Repeal the paragraph.

## *A New Tax System (Wine Equalisation Tax) Act 1999*

### 2 Section 7-20

Omit "the control of *Customs", substitute "customs control under the *Customs Act 1901*".

### 3 Section 9-75

Omit "the control of *Customs", substitute "customs control under the *Customs Act 1901*".

### 4 Section 33-1 (definition of *Customs*)

Repeal the definition.

## *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*

### 5 Section 5 (paragraph (e) of the definition of *designated agency*)

Repeal the paragraph.

### 6 Saving provision

Despite the amendment of the definition of ***designated agency*** in section 5 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* made by this Schedule, section 127 of that Act, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to a person who was at any time before that commencement an official of a designated agency that was Customs.

## *Australian Crime Commission Act 2002*

### 7 Subsection 4(1)

Insert:

> ***Immigration and Border Protection Department*** means the Department administered by the Minister administering the *Australian Border Force Act 2015*.

### 8 Subparagraph 7A(ca)(iii)

Omit "Customs", substitute "the Immigration and Border Protection Department".

## *Australian Nuclear Science and Technology Organisation Act 1987*

### 9 Subsection 3(1)

Insert:

> ***Immigration and Border Protection Department*** means the Department administered by the Minister administering Part XII of the *Customs Act 1901*.

### 10 Subsection 3(1) (paragraph (c) of the definition of *law enforcement agency*)

Repeal the paragraph, substitute:

(c) the Immigration and Border Protection Department; or

## *Australian Postal Corporation Act 1989*

### 11 Section 90E (paragraph (a) of the definition of *compliance agency*)

Repeal the paragraph, substitute:

(a) the Immigration and Border Protection Department;

### 12 Section 90E

Insert:

***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 13 Section 90E (definition of *customs officer*)

Omit "an Officer of Customs", substitute "an officer of Customs".

### 14 Section 90E

Insert:

***Immigration and Border Protection Department*** means the Department administered by the Minister administering Part XII of the *Customs Act 1901*.

### 15 Subsections 90T(1), (2), (3), (4), (5) and (7)

Omit "Customs officer" (wherever occurring), substitute "customs officer".

### 16 Subsection 90T(8)

Omit "Customs must", substitute "The Comptroller-General of Customs must".

### 17 Subsection 90T(8)

Omit "Customs officer", substitute "customs officer".

### 18 Subsections 90V(2) and (2A)

Omit "Customs officer" (wherever occurring), substitute "customs officer".

### 19 Subsection 90V(2A)

Omit "opened by Customs", substitute "opened by a customs officer".

### 20 Paragraph 90ZC(2)(a)

Omit "Customs officer", substitute "customs officer".

### 21 Transitional provision

A record established by Customs before the commencement of this item under subsection 90T(8) of the *Australian Postal Corporation Act 1989* is taken on and after that commencement to be a record established by the Comptroller-General of Customs.

## *Civil Aviation Act 1988*

### 22 Section 3 (paragraph (b) of the definition of *authority of the Commonwealth*)

Repeal the paragraph.

### 23 Transitional provision

Subparagraph 32AO(1)(c)(ii) of the *Civil Aviation Act 1988* applies on and after the commencement of this item as if a reference to a Commonwealth entity included a reference to Customs (within the meaning of section 4AA of the *Customs Administration Act 1985* as in force immediately before the commencement of this item).

## *Commerce (Trade Descriptions) Act 1905*

### 24 Section 3 (definition of *Trade description*)

Omit "a Customs entry", substitute "an import entry".

### 25 Subsection 6(1)

Omit "the Customs", substitute "an officer".

### 26 Transitional provisions

(1) For the purposes of the *Commerce (Trade Descriptions) Act 1905*, a Customs entry relating to goods made before the commencement of this

item is taken on and after that commencement to have been an import entry relating to the goods.

(2) A notice given to the Customs before the commencement of this item as mentioned in subsection 6(1) of the *Commerce (Trade Descriptions) Act 1905* is taken on and after that commencement to have been a notice given to an officer.

## *Copyright Act 1968*

### 27 Paragraph 135(7)(d)

Omit "the control of the Customs within the meaning of the *Customs Act 1901*", substitute "customs control under the *Customs Act 1901*".

## *Crimes Act 1914*

### 28 Subsection 3(1)

Insert:

> ***officer of Customs*** has the meaning given by subsection 4(1) of the *Customs Act 1901*.

### 29 Section 15GC (paragraph (c) of the definition of *chief officer*)

Omit "to Customs", substitute "to the Immigration and Border Protection Department".

### 30 Section 15GC (paragraph (c) of the definition of *law enforcement agency*)

Repeal the paragraph, substitute:

(c) the Immigration and Border Protection Department;

### 31 Section 15GC (note at the end of the definition of *staff member*)

Omit "Customs", substitute "the Immigration and Border Protection Department".

## 32 Section 15GC (paragraph (c) of the definition of *target agency*)

Repeal the paragraph, substitute:

(c) the Immigration and Border Protection Department.

## 33 Subsection 15GI(2) (note 2)

Omit "Customs", substitute "the Immigration and Border Protection Department".

## 34 Subparagraphs 15GK(1)(k)(iii) and (v)

Omit "Customs", substitute "an officer of Customs".

## 35 Subsection 15GQ(2) (note 2)

Omit "Customs", substitute "the Immigration and Border Protection Department".

## 36 Subsection 15GV(2) (note 2)

Omit "Customs", substitute "the Immigration and Border Protection Department".

## 37 Paragraph 15HG(5)(b)

Omit "to Customs", substitute "to the Immigration and Border Protection Department".

## 38 Paragraph 15J(1)(b)

Omit "Customs", substitute "an officer of Customs".

## 39 Subparagraphs 15J(2)(c)(i) and (ii)

Omit "the control of Customs", substitute "customs control under the *Customs Act 1901*".

## 40 Section 15JA

Omit "Australian Customs and Border Protection Service", substitute "Immigration and Border Protection Department".

### 41 Section 15JC (paragraph (d) of the definition of *integrity testing agency*)

Repeal the paragraph, substitute:

(d) the Immigration and Border Protection Department.

### 42 Section 15JC (paragraph (c) of the definition of *target agency*)

Repeal the paragraph, substitute:

(c) the Immigration and Border Protection Department.

### 43 Subsection 15JD(2) (note 1)

Omit "Customs", substitute "the Immigration and Border Protection Department".

### 44 Subsection 15JE(1) (note 1)

Omit "Customs", substitute "the Immigration and Border Protection Department".

### 45 Subsection 15JS(5) (paragraph (c) of the definition of *chief officer*)

Omit "for Customs", substitute "for the Immigration and Border Protection Department".

### 46 Section 15K (subparagraph (c)(ii) of the definition of *chief officer*)

Omit "to Customs", substitute "to the Immigration and Border Protection Department".

### 47 Section 15K (paragraph (b) of the definition of *law enforcement agency*)

Repeal the paragraph, substitute:

(b) the Immigration and Border Protection Department;

### 48 Section 15K (paragraph (b) of the definition of *law enforcement officer*)

Omit "to Customs", substitute "to the Immigration and Border Protection Department".

## 49 Paragraph 15KB(4)(b)

Repeal the paragraph, substitute:

(b) in the case of the Immigration and Border Protection Department—an APS employee who holds or performs the duties of an Executive Level 1 position, or an equivalent or higher position, in that Department; or

## 50 Subsection 15LH(3) (paragraph (b) of the definition of *senior officer*)

Repeal the paragraph, substitute:

(b) in relation to the Immigration and Border Protection Department—any SES employee in that Department; and

## 51 Subsection 15M(1) (paragraph (b) of the definition of *chief officer*)

Omit "to Customs", substitute "to the Immigration and Border Protection Department".

## 52 Subsection 15M(1) (paragraph (b) of the definition of *law enforcement agency*)

Repeal the paragraph, substitute:

(b) the Immigration and Border Protection Department;

## 53 Subsection 15MX(3) (paragraph (b) of the definition of *senior officer*)

Omit "to Customs", substitute "to the Immigration and Border Protection Department".

## 54 Section 85ZL (paragraph (ba) of the definition of *law enforcement agency*)

Omit "Customs", substitute "the Immigration and Border Protection Department".

## 55 Transitional provisions

(1) An instrument in force immediately before the commencement of this item under Part IAB or IABA of the *Crimes Act 1914* in relation to a person, being a staff member of Customs, continues in force on and

after that commencement as if it were an instrument in force in relation to the person, being a staff member of the Immigration and Border Protection Department.

(2) An instrument in force immediately before the commencement of this item under Part IAC of the *Crimes Act 1914* in relation to a law enforcement officer, being an officer of Customs, continues in force on and after that commencement.

(3) An instrument in force immediately before the commencement of this item under Part IACA of the *Crimes Act 1914* in relation to an operative, being an officer of Customs, continues in force on and after that commencement.

(4) Paragraphs 15HK(2)(e), 15HL(2)(e) and 15LC(4)(d) of the *Crimes Act 1914*, as in force immediately before the commencement of this item, continue to apply on and after that commencement in relation to a disclosure before that commencement in connection with the performance of functions or duties, or the exercise of powers, of Customs.

(5) If a formal authority in force under section 15GI of the *Crimes Act 1914* immediately before the commencement of this item identified the details referred to in subparagraph 15GK(1)(k)(iii) or (v) of that Act in relation to Customs, then on and after that commencement the authority continues in force as if it identified the details referred to in that subparagraph as amended by this Schedule.

(6) The amendments made by this Schedule do not affect the validity of a statutory declaration from an operative given under section 15MF of the *Crimes Act 1914* before the commencement of this item.

## *Crimes (Currency) Act 1981*

### 56 Subsection 29(3)

Omit “An Officer of Customs”, substitute “An officer of Customs”.

### 57 Subsection 29(8) (definition of *Officer of Customs*)

Repeal the definition.

### 58 Subsection 29(8)

Insert:

> ***officer of Customs*** has the same meaning as in the *Customs Act 1901*.

## *Criminal Code Act 1995*

### 59 Section 146.1 of the *Criminal Code* (paragraph (e) of the definition of *Commonwealth law enforcement officer*)

Repeal the paragraph, substitute:

(e) a person who is an APS employee in the Department administered by the Minister administering the *Australian Border Force Act 2015* and who is in the Australian Border Force (within the meaning of that Act).

### 60 Saving provision

Part 7.8 of the *Criminal Code*, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to a thing done in relation to a person employed in Customs before that commencement.

## *Customs Depot Licensing Charges Act 1997*

### 61 Section 3 (definition of *electronic*)

Repeal the definition.

### 62 Section 3 (definition of *line of cargo*)

Omit "an electronic or documentary cargo report", substitute "a cargo report".

## *Environment Protection and Biodiversity Conservation Act 1999*

### 63 Paragraph 303GW(3)(c)

Omit "the control of the Customs", substitute "customs control under the *Customs Act 1901*".

## *Evidence Act 1995*

### 64 Part 1 of the Dictionary (subparagraph (b)(i) of the definition of *Commonwealth document*)

Omit "to Customs", substitute "to the Department administered by the Minister administering Part XII of the *Customs Act 1901*".

### 65 Transitional provision

A report communicated to Customs before the commencement of this item as mentioned in subparagraph (b)(i) of the definition of ***Commonwealth document*** in Part 1 of the Dictionary in the *Evidence Act 1995* is taken on and after that commencement to have been a report communicated to the Department administered by the Minister administering Part XII of the *Customs Act 1901*.

## *Excise Act 1901*

### 66 Subsection 24(2)

Omit "control of Customs", substitute "customs control under the *Customs Act 1901*".

### 67 Paragraph 24(3)(b)

Omit "the control of Customs", substitute "customs control under the *Customs Act 1901*".

### 68 Subsection 59AA(1)

Omit "clearance through Customs", substitute "clearance under the *Customs Act 1901*".

### 69 Paragraph 61E(2)(b)

Omit "clearance through Customs", substitute "clearance under the *Customs Act 1901*".

## *Fisheries Management Act 1991*

### 70 Subsection 84C(1)

Omit "a Customs vessel", substitute "an Australian Border Force vessel".

### 71 Subsection 84C(5)

Insert:

> ***Australian Border Force vessel*** means a Commonwealth ship (within the meaning of the *Customs Act 1901*) that is under the command of an officer of Customs (including an officer of Customs exercising powers as an officer within the meaning of this Act) and flying the flag mentioned in section 14 of the *Customs Act 1901*.

### 72 Subsection 84C(5) (definition of *Customs vessel*)

Repeal the definition.

### 73 Section 167B (heading)

Repeal the heading, substitute:

**167B AFMA may give information about boats to officers of Customs**

### 74 Subsection 167B(2)

Omit "to Customs", substitute "to an officer of Customs".

### 75 Subsection 167B(2)

Omit "from Customs", substitute "from an officer of Customs".

### 76 Subsection 167B(2)

Omit "giving Customs", substitute "giving an officer of Customs".

### 77 Subsection 167B(2)

Omit "help Customs", substitute "help an officer of Customs".

### 78 Subsection 167B(2)

Omit "of Customs".

### 79 Subsection 167B(4)

Insert:

> ***officer of Customs*** has the meaning given by subsection 4(1) of the *Customs Act 1901*.

## *Hazardous Waste (Regulation of Exports and Imports) Act 1989*

### 80 Subsection 42(3) (note)

Omit "of Customs and".

## *Imported Food Control Act 1992*

### 81 Subsection 3(1) (definition of *Customs control*)

Repeal the definition.

### 82 Subsection 3(1)

Insert:

> ***customs control***, in relation to food, means customs control under the Customs Act.
>
> ***Immigration and Border Protection Department*** means the Department administered by the Minister administering Part XII of the Customs Act.

### 83 Subsection 11(2)

After "section 71A", insert "or 71DH".

### 84 Subsections 11(2) and (3)

Omit "to Customs", substitute "to the Immigration and Border Protection Department".

### 85 Paragraphs 13(4)(b) and (c)

Omit "Customs control", substitute "customs control".

### 86 Subsection 13(5) (note)

Repeal the note.

### 87 Paragraph 14(1)(b)

Omit "Customs control", substitute "customs control".

### 88 Subsections 14(5) and (7)

Omit "Customs control", substitute "customs control".

## *Independent National Security Legislation Monitor Act 2010*

### 89 Section 4 (paragraph (c) of the definition of *head*)

Repeal the paragraph.

### 90 Section 4

Insert:

> ***Immigration and Border Protection Department*** means the Department administered by the Minister administering the *Australian Border Force Act 2015*.

### 91 Section 4 (paragraph (c) of the definition of *law enforcement or security agency*)

Repeal the paragraph, substitute:

(c) the Immigration and Border Protection Department;

## *Industrial Chemicals (Notification and Assessment) Act 1989*

### 92 Subparagraph 21(6)(b)(ii)

Omit "the control of Customs (within the meaning of the *Customs Act 1901*)", substitute "customs control under the *Customs Act 1901*".

## *Major Sporting Events (Indicia and Images) Protection Act 2014*

### 93 Section 4

Omit "Customs", substitute "the Comptroller-General of Customs".

### 94 Subsection 25(1)

Omit "the control of the Customs (within the meaning of the *Customs Act 1901*)", substitute "customs control under the *Customs Act 1901*".

## *Maritime Transport and Offshore Facilities Security Act 2003*

### 95 Paragraphs 9(2)(b) and (3)(b)

Repeal the paragraphs, substitute:

(b) the Immigration and Border Protection Department; or

### 96 Section 10 (definition of *customs officer*)

Omit "an Officer", substitute "an officer of Customs".

### 97 Section 10

Insert:

> ***Immigration and Border Protection Department*** means the Department administered by the Minister administering Part XII of the *Customs Act 1901*.

### 98 Section 10 (note at the end of the definition of *maritime industry participant*)

Omit "Customs", substitute "the Immigration and Border Protection Department".

### 99 Section 10 (note at the end of the definition of *offshore industry participant*)

Omit "Customs", substitute "the Immigration and Border Protection Department".

## *Migration Act 1958*

### 100 Subsection 260(3)

Omit "the law relating to the Customs", substitute "a law of the Commonwealth".

### 101 Subsection 260(5)

Omit "the law relating to the Customs", substitute "the *Customs Act 1901*".

## *National Health Act 1953*

### 102 Subsection 99ZH(1) (definition of *Customs documentation purposes*)

Omit "enabling Customs", substitute "enabling the Immigration and Border Protection Department".

### 103 Subsection 99ZH(1)

Insert:

> ***Immigration and Border Protection Department*** means the Department administered by the Minister administering Part XII of the *Customs Act 1901*.

### 104 Section 99ZM (heading)

Repeal the heading, substitute:

**99ZM Detention of some drug like substances and not others**

### 105 Section 99ZN (heading)

Repeal the heading, substitute:

**99ZN Treatment of detained substances and retained documents**

### 106 Subsection 99ZN(6)

Omit "Customs must", substitute "the Comptroller-General of Customs must".

## *Navigation Act 2012*

### 107 Section 11 (heading)

Repeal the heading, substitute:

**11 Application of Act to certain Australian Border Force vessels**

### 108 Section 11

Omit "A customs vessel", substitute "An Australian Border Force vessel".

### 109 Section 11

Omit "a customs vessel", substitute "an Australian Border Force vessel".

### 110 Paragraph 11(a)

Omit "***customs vessel management plan***", substitute "***Australian Border Force vessel management plan***".

### 111 Subparagraphs 11(a)(ii) and (iii)

Omit "customs vessel", substitute "Australian Border Force vessel".

### 112 Paragraph 11(b)

Omit "the customs vessel or the person complies with the requirements of the customs vessel management plan", substitute "the Australian Border Force vessel or the person complies with the requirements of the Australian Border Force vessel management plan".

### 113 Subsection 14(1)

Insert:

***Australian Border Force vessel***: see section 17.

### 114 Subsection 14(1) (definition of *customs vessel*)

Repeal the definition.

### 115 Subsection 14(1) (definition of *officer of Customs*)

Omit "an Officer of Customs", substitute "an officer of Customs".

### 116 Subsection 15(2)

Omit "a customs vessel", substitute "an Australian Border Force vessel".

### 117 Section 17 (heading)

Repeal the heading, substitute:

**17 Definition of *Australian Border Force vessel***

### 118 Subsection 17(1)

Omit "is a ***customs vessel***", substitute "is an ***Australian Border Force vessel***".

### 119 Paragraph 17(1)(a)

Omit "Customs", substitute "the Australian Border Force (within the meaning of the *Australian Border Force Act 2015*)".

### 120 Paragraph 17(1)(b)

Omit "a customs vessel", substitute "an Australian Border Force vessel".

### 121 Subsection 17(1) (note)

Repeal the note.

### 122 Subsection 17(2)

Omit "a customs vessel", substitute "an Australian Border Force vessel".

### 123 Section 237 (heading)

Repeal the heading, substitute:

**237 Powers of officers of Customs**

### 124 Section 237

Omit "powers of Customs, the CEO of Customs or an officer of Customs", substitute "powers of an officer of Customs".

### 125 Subsection 240(4)

Omit “powers of Customs, the CEO of Customs or an officer of Customs”, substitute “powers of an officer of Customs”.

### 126 Subsection 244(3)

Omit “Customs”, substitute “an officer of Customs”.

### 127 Paragraph 249(1)(a)

Omit “Customs”, substitute “an officer of Customs”.

### 128 Section 252 (heading)

Repeal the heading, substitute:

**252 Power for officer of Customs to detain or refuse clearance**

### 129 Subsection 252(3) (heading)

Repeal the heading, substitute:

*Officer of Customs may detain if certificates not produced*

### 130 Subsection 252(3)

Omit “detained by Customs”, substitute “detained by an officer of Customs”.

### 131 Subsection 252(4)

Omit “If Customs”, substitute “If an officer of Customs”.

### 132 Subsection 252(6)

Omit “Customs”, substitute “An officer of Customs”.

### 133 Paragraph 253(a)

Omit “section 247”, substitute “section 248”.

### 134 Paragraph 313(2)(a)

Omit “section 249 to released”, substitute “section 250 to release”.

### 135 Paragraph 313(2)(b)

Omit "section 251", substitute "subsection 252(3)".

### 136 Transitional provisions

(1) A customs vessel management plan in effect under section 11 of the *Navigation Act 2012* immediately before the commencement of this item that relates to a vessel or person continues in effect under that section on and after that commencement as if it were an Australian Border Force vessel management plan that relates to the vessel or person.

(2) A declaration in force under subsection 17(2) of the *Navigation Act 2012* immediately before the commencement of this item that a vessel, or a vessel included in a class of vessels, is a customs vessel continues in force on and after that commencement as if it were a declaration that the vessel, or a vessel included in the class of vessels, is an Australian Border Force vessel.

(3) If, immediately before the commencement of this item, Customs was detaining a vessel under subsection 252(3) of the *Navigation Act 2012*, then on and after that commencement an officer of Customs may continue to detain the vessel under that subsection as amended by this Schedule.

## *Offshore Petroleum and Greenhouse Gas Storage Act 2006*

### 137 Paragraph 615(1)(d)

Omit "officer of customs", substitute "officer of Customs".

### 138 Paragraph 695X(2)(e)

Repeal the paragraph, substitute:

(e) the Department administered by the Minister administering Part XII of the *Customs Act 1901*;

### 139 Transitional provision

Offshore information or a thing made available to Customs before the commencement of this item under subsection 695X(1) of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* is taken on and after that commencement to have been made available to the Department administered by the Minister administering Part XII of the *Customs Act 1901*.

## *Olympic Insignia Protection Act 1987*

### 140 Paragraph 54(1)(b)

Omit "the control of the Customs within the meaning of the *Customs Act 1901*", substitute "customs control under the *Customs Act 1901*".

## *Privacy Act 1988*

### 141 Subsection 6(1) (paragraph (c) of the definition of *enforcement body*)

Repeal the paragraph.

### 142 Transitional provision

A disclosure of information to Customs before the commencement of this item as mentioned in paragraph 20E(3)(d) or 21G(3)(d) of the *Privacy Act 1988* is taken on and after that commencement to have been a disclosure to the Immigration Department.

## *Proceeds of Crime Act 2002*

### 143 Subsection 15B(1) (note 1)

Omit "Customs", substitute "the Immigration and Border Protection Department".

### 144 Section 15C (note)

Omit "Customs", substitute "the Immigration and Border Protection Department".

### 145 Subsection 15D(1) (note)

Omit "Customs", substitute "the Immigration and Border Protection Department".

### 146 Subsection 15P(1) (note)

Omit "Customs", substitute "the Immigration and Border Protection Department".

## *Protection of Movable Cultural Heritage Act 1986*

### 147 Subsection 3(1)

Insert:

> ***officer of Customs*** has the meaning given by subsection 4(1) of the *Customs Act 1901*.

### 148 Subsection 27(2)

Omit "a Customs officer", substitute "an officer of Customs".

## *Surveillance Devices Act 2004*

### 149 Subsection 6(1)

Insert:

> ***Immigration and Border Protection Department*** means the Department administered by the Minister administering the *Australian Border Force Act 2015*.

### 150 Subsection 6(1) (paragraph (c) of the definition of *target agency*)

Repeal the paragraph, substitute:

(c) the Immigration and Border Protection Department.

### 151 Transitional provisions

(1) The *Surveillance Devices Act 2004*, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to:

(a) a surveillance device warrant in force under that Act immediately before that commencement, being a warrant issued as a result of an application under subsection 14(3B) of that Act in relation to a staff member of Customs; or

(b) an application for a warrant under subsection 14(3B) of that Act in relation to a staff member of Customs that was pending immediately before that commencement.

(2) Section 45A of the *Surveillance Devices Act 2004*, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to a person who was a staff member of Customs at any time before that commencement.

(3) The amendments of the *Surveillance Devices Act 2004* made by this Schedule do not affect the validity of a retrieval warrant in force under that Act immediately before the commencement of this item.

## *Taxation Administration Act 1953*

### 152 Subsection 155-15(1) in Schedule 1 (cell at table item 3, column 2)

Repeal the cell, substitute:

| |
|---|
| the Collector (within the meaning of the *Customs Act 1901*) or the Department administered by the Minister administering Part XII of that Act |

### 153 Paragraph 155-20(1)(a) in Schedule 1

Omit "Customs", substitute "the Department administered by the Minister administering Part XII of the *Customs Act 1901*,".

### 154 Paragraph 155-20(1)(b) in Schedule 1

Omit "Customs", substitute "a Collector (within the meaning of the *Customs Act 1901*)".

## 155 Subsection 155-20(1) in Schedule 1 (table, heading to column 1)

Repeal the heading, substitute:

**Column 1**

**Document communicated**

## 156 Subsection 155-20(2) in Schedule 1

Omit "Customs", substitute "a Collector (within the meaning of the *Customs Act 1901*)".

## 157 Paragraph 155-20(4)(b) in Schedule 1

Omit "Customs", substitute "a Collector (within the meaning of the *Customs Act 1901*)".

## 158 Paragraph 155-40(2)(b) in Schedule 1

Omit "Customs", substitute "a Collector (within the meaning of the *Customs Act 1901*)".

## 159 Saving and transitional provisions

(1) Section 155-15 in Schedule 1 to the *Taxation Administration Act 1953*, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to a document mentioned in column 3 of item 3 of the table in subsection 155-15(1) in that Schedule that was given to Customs before that commencement.

(2) Section 155-20 in Schedule 1 to the *Taxation Administration Act 1953*, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to the following documents given before that commencement:

(a) a document mentioned in column 1 of item 1 or 2 of the table in subsection 155-20(1) in that Schedule communicated to Customs in respect of an importation or dealing;

(b) a document mentioned in column 2 of that table item given by Customs to an entity in respect of that importation or dealing.

(3) If:

(a) before the commencement of this item, a document mentioned in column 1 of item 1 or 2 of the table in subsection 155-20(1) in Schedule 1 to the *Taxation Administration Act 1953* was communicated to Customs in respect of an importation or dealing; but

(b) before that commencement, Customs had not given the document mentioned in column 2 of that table item to an entity in respect of that importation or dealing;

then section 155-20 in that Schedule applies on and after that commencement as if the document mentioned in column 1 of that table item had been communicated to the Department administered by the Minister administering Part XII of the *Customs Act 1901*.

(4) Section 155-40 in Schedule 1 to the *Taxation Administration Act 1953*, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to an advice mentioned in paragraph 155-40(2)(b) in that Schedule that was given by Customs to an entity before that commencement.

## *Telecommunications Act 1997*

### 160 Paragraph 47(2)(aa) of Schedule 3A

Repeal the paragraph, substitute:

(aa) the Department administered by the Minister administering Part XII of the *Customs Act 1901*;

### 161 Transitional provision

A notification given under subclause 47(1) of Schedule 3A to the *Telecommunications Act 1997* before the commencement of this item to the Australian Customs and Border Protection Service is taken on and after that commencement to have been a notification given to the Department administered by the Minister administering Part XII of the *Customs Act 1901*.

## *Telecommunications (Interception and Access) Act 1979*

### 162 Subsection 5(1) (after paragraph (d) of the definition of *enforcement agency*)

Insert:

(da) the Immigration and Border Protection Department; or

### 163 Subsection 5(1)

Insert:

***Immigration and Border Protection Department*** means the Department administered by the Minister administering Part XII of the *Customs Act 1901*.

### 164 Subsection 5(1) (definition of *permitted purpose*)

Omit "Customs" (first occurring), substitute "the Immigration and Border Protection Department".

### 165 Subsection 5(1) (paragraphs (a) and (aaa) of the definition of *permitted purpose*)

Omit "Customs" (wherever occurring), substitute "the Immigration and Border Protection Department".

### 166 Subsection 6S(1)

Omit "Customs" (first occurring), substitute "the Immigration and Border Protection Department".

### 167 Subsection 6S(1) (table, heading to column 1)

Repeal the heading, substitute:

**Column 1—Commonwealth agency or Immigration and Border Protection Department**

### 168 Subsection 6S(1) (table item 1, column 1, paragraph (d))

Repeal the paragraph, substitute:

(d) Immigration and Border Protection Department.

### 169 Subparagraph 68(n)(i)

Omit "Customs", substitute "the Immigration and Border Protection Department".

### 170 Subparagraphs 68(o)(i) and (ii)

Omit "Customs", substitute "the Immigration and Border Protection Department".

## *Torres Strait Fisheries Act 1984*

### 171 Paragraph 50(2)(b)

Omit "the control of the Customs", substitute "customs control".

## *Trade Marks Act 1995*

### 172 Paragraph 133(1)(b)

Omit "the control of the Customs within the meaning of the *Customs Act 1901*", substitute "customs control under the *Customs Act 1901*".

# Schedule 6—Amendments of Acts referring to the CEO of Customs

## *A New Tax System (Goods and Services Tax) Act 1999*

### 1 Paragraph 117-5(1)(a)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs (within the meaning of the *Customs Act 1901*)".

### 2 Transitional provision

A determination made by the Chief Executive Officer of Customs, before the commencement of this item, as mentioned in paragraph 117-5(1)(a) of the *A New Tax System (Goods and Services Tax) Act 1999*, has effect on and after that commencement as if it had been made by the Comptroller-General of Customs.

## *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*

### 3 Section 5

Insert:

> ***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 4 Section 5 (definition of *customs officer*)

Repeal the definition, substitute:

> ***customs officer*** means an officer of Customs within the meaning of the *Customs Act 1901*.

### 5 Section 5 (paragraph (c) of the definition of *investigating officer*)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

## 6 Paragraph 49(1)(e)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

## 7 Subsection 61(4)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

## 8 Paragraphs 122(1)(h) and (3)(h)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

## 9 Subparagraph 212(2)(a)(v)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

## 10 Saving and transitional provisions

(1) A thing done by, or in relation to, a customs officer, being the Chief Executive Officer of Customs, under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* before the commencement of this item has effect on and after that commencement as if it had been done by, or in relation to, a customs officer, being the Comptroller-General of Customs.

(2) A notice given by the Chief Executive Officer of Customs before the commencement of this item under subsection 49(1) of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* has effect on and after that commencement as if it had been given under that subsection by the Comptroller-General of Customs.

(3) An authorisation given by the Chief Executive Officer of Customs before the commencement of this item under subsection 61(4) of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* has effect on and after that commencement as if it had been given under that subsection by the Comptroller-General of Customs.

(4) Despite the amendments of section 122 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* made by this Schedule, that section, as in force immediately before the commencement of this item,

continues to apply on and after that commencement in relation to a person who was at any time before that commencement the Chief Executive Officer of Customs.

## *Australian Crime Commission Act 2002*

### 11 Subsection 4(1)

Insert:

> ***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 12 Subsection 4(1) (paragraph (c) of the definition of *eligible Commonwealth Board member*)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 13 Paragraph 7B(2)(c)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

## *Australian Jobs Act 2013*

### 14 Paragraph 107(1)(n)

Repeal the paragraph, substitute:

(n) the Comptroller-General of Customs (within the meaning of the *Customs Act 1901*);

### 15 Saving provision

Despite the amendment of section 107 of the *Australian Jobs Act 2013* made by this Schedule, subsection 107(4) of that Act, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to a person who was at any time before that commencement the Chief Executive Officer of Customs.

## *Clean Energy Regulator Act 2011*

### 16 Paragraph 49(1)(u)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs (within the meaning of the *Customs Act 1901*)".

### 17 Saving provision

Despite the amendment of section 49 of the *Clean Energy Regulator Act 2011* made by this Schedule, subsection 49(4) of that Act, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to a person who was at any time before that commencement the Chief Executive Officer of Customs.

## *Commerce (Trade Descriptions) Act 1905*

### 18 Section 1A

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 19 Section 3 (definition of *CEO*)

Repeal the definition.

### 20 Section 3

Insert:

> ***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 21 Subsections 7(3), 10(3), 11(3), 13(3) and 15(1)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 22 Transitional provisions

(1) A notice given by the Chief Executive Officer of Customs before the commencement of this item under paragraph 7(3)(a), 10(3)(a), 11(3)(a)

or 13(3)(a) of the *Commerce (Trade Descriptions) Act 1905* has effect on and after that commencement as if it had been given under that paragraph by the Comptroller-General of Customs.

(2) If an application made under subsection 15(1) of the *Commerce (Trade Descriptions) Act 1905* before the commencement of this item for review of a decision of the Chief Executive Officer of Customs had not been decided by the Administrative Appeals Tribunal before that commencement, then the application has effect on and after that commencement as if it had been made under that subsection for review of a decision of the Comptroller-General of Customs.

## *Copyright Act 1968*

### 23 Section 134B (definition of *CEO*)

Repeal the definition.

### 24 Section 134B

Insert:

> ***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 25 Subsections 135(2), (6) and (6A)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 26 Subsection 135(6A) (note)

Omit "CEO", substitute "Comptroller-General of Customs".

### 27 Subsection 135(7)

Omit "CEO", substitute "Comptroller-General of Customs".

### 28 Paragraph 135(8)(c)

Omit "CEO", substitute "Comptroller-General of Customs".

### 29 Subsections 135AA(1), (2) and (3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 30 Section 135AB

Omit "CEO", substitute "Comptroller-General of Customs".

### 31 Subsections 135AC(1), (2) and (8)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 32 Subsections 135AD(1), (2), (3), (4) and (5)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 33 Subsection 135AE(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 34 Subsection 135AEA(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 35 Subsection 135AEB(2)

Omit "CEO", substitute "Comptroller-General of Customs".

### 36 Subsections 135AEC(1) and (2)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 37 Subsection 135AED(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 38 Paragraph 135AED(2)(b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 39 Subsections 135AF(1), (2), (3) and (4)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 40 Paragraph 135AFA(a)

Omit "CEO", substitute "Comptroller-General of Customs".

### 41 Subsections 135AG(3), (5) and (6)

Omit "CEO", substitute "Comptroller-General of Customs".

### 42 Section 135AH

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 43 Paragraph 135AI(1)(b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 44 Subsections 135AJ(1), (3) and (4)

Omit "CEO", substitute "Comptroller-General of Customs".

### 45 Paragraph 135AK(a)

Omit "CEO", substitute "Comptroller-General of Customs".

### 46 Paragraphs 195B(1)(ba), (c), (ca), (cb) and (d)

Omit "CEO", substitute "Comptroller-General of Customs".

### 47 Subsection 195B(3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 48 Subsection 195B(8) (definition of *CEO*)

Repeal the definition.

### 49 Transitional provision

A thing done by, or in relation to, the Chief Executive Officer of Customs under Division 7 of Part V, or under subsection 195B(3), of the *Copyright Act 1968* before the commencement of this item has effect on and after that commencement as if it had been done by, or in relation to, the Comptroller-General of Customs.

## *Crimes Act 1914*

### 50 Subsection 3(1)

Insert:

> ***Immigration and Border Protection Department*** means the Department administered by the Minister administering the *Australian Border Force Act 2015*.

### 51 Section 15GC (paragraph (c) of the definition of *chief officer*)

Omit "Chief Executive Officer of Customs", substitute "Secretary of that Department".

### 52 Paragraph 15HG(5)(b)

Omit "a Deputy Chief Executive Officer of Customs or a person occupying an equivalent or higher position", substitute "a person who holds or performs the duties of an SES Band 3 position, or an equivalent or higher position, in that Department".

### 53 Section 15J (heading)

Repeal the heading, substitute:

**15J Secretary of Immigration and Border Protection Department to be notified of certain authorities**

### 54 Subsection 15J(2)

Omit "Chief Executive Officer of Customs", substitute "Secretary of the Immigration and Border Protection Department".

### 55 Subsection 15JE(1) (table item 3)

Repeal the item, substitute:

| | | | |
|---|---|---|---|
| 3 | the integrity of a staff member of the Immigration and Border Protection Department | the Immigration and Border Protection Department | (a) the Secretary of the Immigration and Border Protection Department; or<br>(b) an SES employee in the |

Immigration and
Border Protection
Department.

## 56 Subsection 15JS(5) (paragraph (c) of the definition of *chief officer*)

Omit "Chief Executive Officer of Customs", substitute "Secretary of that Department".

## 57 Section 15K (subparagraph (c)(ii) of the definition of *chief officer*)

Omit "Chief Executive Officer of Customs", substitute "Secretary of that Department".

## 58 Subsection 15M(1) (paragraph (b) of the definition of *chief officer*)

Omit "Chief Executive Officer of Customs", substitute "Secretary of that Department".

## 59 Subsection 15MX(3) (paragraph (b) of the definition of *senior officer*)

Omit "a Deputy Chief Executive Officer of Customs, or a person occupying an equivalent or higher position in Customs", substitute "a person who holds or performs the duties of an SES Band 3 position, or an equivalent or higher position, in that Department".

## 60 Saving and transitional provisions

(1) A thing done by, or in relation to, the Chief Executive Officer of Customs under Part IAB, IABA, IAC or IACA of the *Crimes Act 1914* before the commencement of this item has effect on and after that commencement as if it had been done by, or in relation to, the Secretary of the Immigration and Border Protection Department.

(2) An application made by the Chief Executive Officer of Customs as mentioned in section 15KG of the *Crimes Act 1914* before the commencement of this item has effect on and after that commencement as if it had been made by the Secretary of the Immigration and Border Protection Department.

(3) Sections 15KN, 15KO, 15KQ, 15KR and 15KS of the *Crimes Act 1914*, as in force immediately before the commencement of this item, continue to apply on and after that commencement in relation to a person who was the Chief Executive Officer of Customs, or an officer of Customs, at any time before that commencement.

(4) A request made by the Chief Executive Officer of Customs under subsection 15KX(2) of the *Crimes Act 1914* before the commencement of this item and that had not been complied with before that commencement has effect on and after that commencement as if it had been made under that subsection by the Secretary of the Immigration and Border Protection Department.

## *Criminal Code Act 1995*

### 61 Section 146.1 of the *Criminal Code* (paragraph (d) of the definition of *Commonwealth law enforcement officer*)

Omit "Chief Executive Officer of Customs", substitute "Australian Border Force Commissioner (within the meaning of the *Australian Border Force Act 2015*)".

### 62 Saving provision

Part 7.8 of the *Criminal Code*, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to a thing done in relation to the Chief Executive Officer of Customs before that commencement.

## *Customs Securities (Penalties) Act 1981*

### 63 Section 2A

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs (within the meaning of the *Customs Act 1901*)".

## *Customs Tariff Act 1995*

### 64 Subsection 3(1)

Insert:

***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 65 Subsection 9(2)

Omit "Chief Executive Officer", substitute "Comptroller-General of Customs".

### 66 Subsection 19(9)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 67 Subsection 19AB(11)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 68 Schedule 4 (table item 20, column headed "Rate of duty")

Omit "Chief Executive Officer of Customs" (wherever occurring), substitute "Comptroller-General of Customs".

### 69 Transitional provision

A determination made before the commencement of this item by the Chief Executive Officer of Customs as mentioned in item 20 of Schedule 4 to the *Customs Tariff Act 1995* has effect on and after that commencement as if it had been made by the Comptroller-General of Customs.

## *Customs Undertakings (Penalties) Act 1981*

### 70 Section 2A

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs (within the meaning of the *Customs Act 1901*)".

## *Excise Act 1901*

### 71 Subsection 61E(1) (definition of *officer of Customs*)

Repeal the definition, substitute:

***officer of Customs*** has the same meaning as in the *Customs Act 1901*.

## *Financial Transaction Reports Act 1988*

### 72 Subsection 3(1)

Insert:

***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 73 Subsection 3(1) (definition of *customs officer*)

Repeal the definition, substitute:

***customs officer*** means an officer of Customs within the meaning of the *Customs Act 1901*.

### 74 Subsection 16(6) (paragraph (c) of the definition of *investigating officer*)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 75 Subsection 16(6) (paragraph (d) of the definition of *relevant authority*)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 76 Transitional provisions

(1) A thing done by, or in relation to, a customs officer, being the Chief Executive Officer of Customs, under the *Financial Transaction Reports Act 1988* before the commencement of this item has effect on and after that commencement as if it had been done by, or in relation to, a customs officer, being the Comptroller-General of Customs.

(2) A request made before the commencement of this item by the Chief Executive Officer of Customs under subsection 16(4) of the *Financial Transaction Reports Act 1988* that had not been complied with before that commencement has effect on and after that commencement as if it

had been made under that subsection by the Comptroller-General of Customs.

## *Fisheries Management Act 1991*

### 77 Subsection 84C(1)

Omit "Chief Executive Officer of Customs (***CEO***)", substitute "Comptroller-General of Customs".

### 78 Subsection 84C(2)

Omit "CEO", substitute "Comptroller-General of Customs".

### 79 Paragraph 84C(3)(d)

Omit "CEO", substitute "Comptroller-General of Customs".

### 80 Subsection 84C(5)

Insert:

> ***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 81 Transitional provision

A direction of the Chief Executive Officer of Customs as mentioned in subsection 84C(1) or paragraph 84C(3)(d) of the *Fisheries Management Act 1991* that was in force immediately before the commencement of this item continues in force on and after that commencement as if it had been given by the Comptroller-General of Customs.

## *Illegal Logging Prohibition Act 2012*

### 82 Paragraph 11(b)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs (within the meaning of the *Customs Act 1901*)".

### 83 Transitional provision

A notification given to the Chief Executive Officer of Customs before the commencement of this item as mentioned in paragraph 11(b) of the *Illegal Logging Prohibition Act 2012* has effect on and after that commencement as if it had been given to the Comptroller-General of Customs.

## *Law Enforcement Integrity Commissioner Act 2006*

### 84 Subsection 5(1)

Insert:

> ***Australian Border Force Commissioner*** has the same meaning as in the *Australian Border Force Act 2015*.

### 85 Subsection 5(1) (paragraph (ba) of the definition of *head*)

Repeal the paragraph, substitute:

(ba) if the agency is the Immigration and Border Protection Department—the Secretary of that Department; or

### 86 Subsection 5(1)

Insert:

> ***Immigration and Border Protection Department*** means the Department administered by the Minister administering the *Australian Border Force Act 2015*.

### 87 Subsection 5(1) (paragraph (ba) of the definition of *law enforcement agency*)

Repeal the paragraph, substitute:

(ba) the Immigration and Border Protection Department; or

### 88 Subsection 10(2A)

Repeal the subsection, substitute:

> *Immigration and Border Protection Department staff members*

(2A) The following are ***staff members*** of the Immigration and Border Protection Department for the purposes of this Act:

(a) the Secretary of the Immigration and Border Protection Department;

(b) the Australian Border Force Commissioner (including in his or her capacity as the Comptroller-General of Customs);

(c) an APS employee in the Immigration and Border Protection Department;

(d) a person covered by paragraph (d), (e) or (f) of the definition of ***officer of Customs*** in subsection 4(1) of the *Customs Act 1901*;

(e) a person covered by paragraph (f) or (g) of the definition of ***officer*** in subsection 5(1) of the *Migration Act 1958*.

## 89 Paragraph 10(5)(ba)

Repeal the paragraph, substitute:

(ba) a person referred to in paragraph (2A)(d) or (e) is a ***secondee*** to the Immigration and Border Protection Department; and

## 90 Saving provisions

(1) The *Law Enforcement Integrity Commissioner Act 2006*, as in force immediately before the commencement of this item, continues to apply on and after that commencement in relation to conduct engaged in before that commencement by a staff member of Customs.

(2) Without limiting subitem (1), if any process had begun, but had not concluded, under that Act before that commencement in relation to such conduct, then the process may be completed under that Act on and after that commencement.

(3) For the purposes of the continued application of the *Law Enforcement Integrity Commissioner Act 2006* in relation to such conduct:

(a) the law enforcement agency concerned is taken, on and after that commencement, to be the Immigration and Border Protection Department; and

(b) the head of that law enforcement agency is taken, on and after that commencement, to be the Secretary of that Department.

## *Major Sporting Events (Indicia and Images) Protection Act 2014*

### 91 Section 9

Insert:

> ***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 92 Section 9 (definition of *Customs CEO*)

Repeal the definition.

### 93 Subsection 12(3)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 94 Section 15

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 95 Section 21 (heading)

Repeal the heading, substitute:

**21 Notifying Secretary and Comptroller-General of Customs of changes to registers**

### 96 Section 21

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 97 Section 22

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 98 Subsections 23(1) and (4)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 99 Section 25 (heading)

Repeal the heading, substitute:

## 25 Seizure of goods by Comptroller-General of Customs

### 100 Subsection 25(1) (heading)

Repeal the heading, substitute:

*Comptroller-General of Customs must seize goods*

### 101 Subsection 25(1)

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 102 Subsection 25(2) (heading)

Repeal the heading, substitute:

*When Comptroller-General of Customs is not required to seize goods*

### 103 Subsections 25(2), (3), (4), (5) and (6)

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 104 Subsections 26(1), (2) and (4)

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 105 Subsections 27(1), (2), (3), (4) and (5)

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 106 Paragraph 28(a)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 107 Subsection 29(1)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 108 Subsection 30(2)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 109 Subsections 31(1), (2) and (3)

Omit “Customs CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 110 Subsection 32(1)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 111 Paragraph 32(2)(b)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 112 Subsections 33(1), (2), (3) and (4)

Omit “Customs CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 113 Subsection 33(4) (note)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 114 Subsection 34(4)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 115 Subsection 34(4) (note)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 116 Paragraph 34(5)(b)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 117 Paragraph 35(a)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 118 Paragraph 36(1)(b)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 119 Subsections 36(1) and (2) (notes)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 120 Section 37 (heading)

Repeal the heading, substitute:

## 37 Power of Comptroller-General of Customs to retain control of goods

### 121 Section 37

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 122 Subsections 38(1) and (3)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 123 Subsection 39(1)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 124 Paragraph 40(a)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 125 Section 41

Omit "The Customs CEO or an officer of Customs", substitute "An officer of Customs".

### 126 Section 42 (heading)

Repeal the heading, substitute:

## 42 Notice to Comptroller-General of Customs of imports by official users

### 127 Subsections 42(1) and (2)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 128 Transitional provisions

(1) A thing done by, or in relation to, the Chief Executive Officer of Customs under the *Major Sporting Events (Indicia and Images) Protection Act 2014* before the commencement of this item has effect on and after that commencement as if it had been done by, or in relation to, the Comptroller-General of Customs.

(2) A determination under section 41 of the *Major Sporting Events (Indicia and Images) Protection Act 2014* that was in force immediately before

the commencement of this item continues in force on and after that commencement as if it were a determination made under that section as amended by this Schedule.

## *Maritime Powers Act 2013*

### 129 Paragraph 114(3)(a)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs (within the meaning of the *Customs Act 1901*)".

### 130 Transitional provision

A waiver made by the Chief Executive Officer of Customs before the commencement of this item as mentioned in paragraph 114(3)(a) of the *Maritime Powers Act 2013* has effect on and after that commencement as if it had been made by the Comptroller-General of Customs.

## *Narcotic Drugs Act 1967*

### 131 Section 3

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 132 Subsection 4(1) (definition of *CEO*)

Repeal the definition.

### 133 Subsection 4(1)

Insert:

> ***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 134 Section 6

Omit "CEO", substitute "Comptroller-General of Customs".

### 135 Subsection 12(1)

Omit "CEO", substitute "Comptroller-General of Customs".

### 136 Subsection 14A(1)

Omit "(1)".

### 137 Paragraph 14A(1)(d)

Omit "CEO", substitute "Comptroller-General of Customs".

### 138 Subsection 22(3)

Omit "CEO", substitute "Comptroller-General of Customs".

### 139 Subsection 24(2)

Omit "CEO", substitute "Comptroller-General of Customs".

### 140 Transitional provisions

(1) A direction given by the Chief Executive Officer of Customs before the commencement of this item under section 12 of the *Narcotic Drugs Act 1967* has effect on and after that commencement as if it had been given under that section by the Comptroller-General of Customs.

(2) Directions given by the Chief Executive Officer of Customs before the commencement of this item under subsection 22(3) of the *Narcotic Drugs Act 1967* have effect on and after that commencement as if they had been given under that subsection by the Comptroller-General of Customs.

(3) An appointment made by the Chief Executive Officer of Customs before the commencement of this item as mentioned in subsection 24(2) of the *Narcotic Drugs Act 1967* has effect on and after that commencement as if it had been made by the Comptroller-General of Customs.

## *National Health Act 1953*

### 141 Subsection 99ZH(1) (definition of *CEO of Customs*)

Repeal the definition.

### 142 Subsection 99ZH(1)

Insert:

***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 143 Subsection 99ZN(1)

Omit "CEO of Customs", substitute "Comptroller-General of Customs".

### 144 Paragraph 99ZN(2)(d)

Omit "CEO of Customs", substitute "Comptroller-General of Customs".

### 145 Paragraph 99ZN(3)(b)

Omit "CEO of Customs", substitute "Comptroller-General of Customs".

### 146 Subsections 99ZS(1) and (3)

Omit "CEO of Customs", substitute "Comptroller-General of Customs".

### 147 Transitional provisions

(1) A place specified by the Chief Executive Officer of Customs before the commencement of this item as mentioned in subsection 99ZN(1) or paragraph 99ZN(2)(d) or (3)(b) of the *National Health Act 1953* has effect on and after that commencement as if it had been specified by the Comptroller-General of Customs.

(2) Guidelines issued by the Chief Executive Officer of Customs before the commencement of this item under section 99ZS of the *National Health Act 1953* and that were in force immediately before that commencement continue in force on and after that commencement as if they had been issued under that section by the Comptroller-General of Customs.

## *Olympic Insignia Protection Act 1987*

### 148 Section 49 (definition of *CEO*)

Repeal the definition.

### 149 Section 49

Insert:

***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 150 Section 50

Omit "The CEO or an officer of Customs", substitute "An officer of Customs".

### 151 Subsections 52(1) and (4)

Omit "CEO", substitute "Comptroller-General of Customs".

### 152 Section 54 (heading)

Repeal the heading, substitute:

**54 Comptroller-General of Customs may seize goods**

### 153 Subsections 54(2), (3) and (4)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 154 Subsections 55(1), (2), (4) and (5)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 155 Subsections 56(1) and (2)

Omit "CEO", substitute "Comptroller-General of Customs".

### 156 Subsections 57(1), (2) and (3)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 157 Subsection 57(3) (note)

Omit "CEO", substitute "Comptroller-General of Customs".

### 158 Paragraph 58(2)(b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 159 Subsections 58(5) and (6)

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 160 Section 59

Omit "CEO", substitute "Comptroller-General of Customs".

### 161 Section 60 (heading)

Repeal the heading, substitute:

**60 Power of Comptroller-General of Customs to retain control of goods**

### 162 Section 60

Omit "CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 163 Section 61

Omit "CEO", substitute "Comptroller-General of Customs".

### 164 Paragraph 62(a)

Omit "CEO", substitute "Comptroller-General of Customs".

### 165 Transitional provisions

(1) A thing done by, or in relation to, the Chief Executive Officer of Customs under Division 2 of Part 3.4 of the *Olympic Insignia Protection Act 1987* before the commencement of this item has effect on and after that commencement as if it had been done by, or in relation to, the Comptroller-General of Customs.

(2) A determination under section 50 of the *Olympic Insignia Protection Act 1987* that was in force immediately before the commencement of this item continues in force on and after that commencement as if it were a determination made under that section as amended by this Schedule.

## *Passenger Movement Charge Collection Act 1978*

### 166 Section 3 (paragraph (b) of the definition of *authorised officer*)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 167 Section 3

Insert:

> ***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 168 Subsection 7(2)

Omit "(2)".

### 169 Subsection 7(2)

Omit "authorized officer" (wherever occurring), substitute "authorised officer".

### 170 Subsection 8(1)

Omit "subsection 7(2)", substitute "section 7".

### 171 Subsections 8(3) and (4)

Omit "authorized officer", substitute "authorised officer".

### 172 Subsection 9(2)

Omit "authorized officer", substitute "authorised officer".

### 173 Subsections 11(1) and (2)

Omit "authorized officers", substitute "authorised officers".

### 174 Transitional provision

An authorisation given by the Chief Executive Officer of Customs before the commencement of this item as mentioned in paragraph (b) of the definition of ***authorised officer*** in section 3 of the *Passenger Movement Charge Collection Act 1978* has effect on and after that commencement as if it had been given by the Comptroller-General of Customs.

## *Proceeds of Crime Act 2002*

### 175 Paragraph 213(3)(g)

Omit "Chief Executive Officer of Customs", substitute "*Comptroller-General of Customs".

### 176 At the end of section 223

Add:

(5) For the purposes of paragraph (4)(a), the head of the *enforcement agency, that is the *Immigration and Border Protection Department, is the *Comptroller-General of Customs.

### 177 At the end of section 254

Add:

(3) For the purposes of this section, the head of the *enforcement agency, that is the *Immigration and Border Protection Department, is the *Comptroller-General of Customs.

### 178 Section 338 (paragraph (c) of the definition of *authorised officer*)

Repeal the paragraph, substitute:

(c) a person who is an APS employee in the *Immigration and Border Protection Department and who is authorised by the *Comptroller-General of Customs; or

### 179 Section 338

Insert:

***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

## 180 Section 338

Insert:

***Immigration and Border Protection Department*** means the Department administered by the Minister administering Part XII of the *Customs Act 1901*.

## 181 Transitional provisions

(1) A notice mentioned in paragraph 15Q(2)(b) or subsection 15R(2) of the *Proceeds of Crime Act 2002* that was given to Customs before the commencement of this item is taken on and after that commencement to have been given to the Immigration and Border Protection Department.

(2) If:

(a) a freezing order under the *Proceeds of Crime Act 2002* is made before, on or after the commencement of this item; and

(b) the order is made because of an application made by an authorised officer described in paragraph (c) of the definition of ***authorised officer*** in section 338 of that Act, as in force immediately before that commencement;

then, for the purposes of the application of paragraph 15Q(2)(b) or subsection 15R(2) of that Act in relation to that order on and after that commencement, the enforcement agency is taken to be the Immigration and Border Protection Department.

(3) An application referred to in subsection 202(3), 219(4) or 225(3) of the *Proceeds of Crime Act 2002* that was made before the commencement of this item by an authorised officer described in paragraph (c) of the definition of ***authorised officer*** in section 338 of that Act and that was pending immediately before that commencement is taken on and after that commencement to be an application made by an authorised officer described in paragraph (c) of that definition (as amended by this Schedule).

(4) A notice given by the Chief Executive Officer of Customs before the commencement of this item under subsection 213(1) of the *Proceeds of*

*Crime Act 2002* is taken on and after that commencement to have been given under that subsection by the Comptroller-General of Customs.

(5) A monitoring order in force immediately before the commencement of this item that, under paragraph 220(1)(d) of the *Proceeds of Crime Act 2002*, specifies Customs as the enforcement agency is taken on and after commencement, under that paragraph, to specify the Immigration and Border Protection Department as the enforcement agency.

(6) If, immediately before the commencement of this item, the head of Customs was the responsible custodian of a thing under section 254 of the *Proceeds of Crime Act 2002*, then on and after that commencement the Comptroller-General of Customs is taken to be the responsible custodian of that thing.

## *Psychotropic Substances Act 1976*

### 182 Section 2A

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 183 Section 3

Insert:

> ***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 184 Subsection 9(3)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 185 Transitional provision

Directions given by the Chief Executive Officer of Customs before the commencement of this item under subsection 9(3) of the *Psychotropic Substances Act 1976* have effect on and after that commencement as if they had been given under that subsection by the Comptroller-General of Customs.

## *Taxation Administration Act 1953*

### 186 Subsection 355-65(8) in Schedule 1 (table item 2)

Repeal the item, substitute:

| | | |
|---|---|---|
| 2 | the Comptroller-General of Customs (within the meaning of the *Customs Act 1901*) | is for the purpose of administering any Act to the extent to which the Comptroller-General of Customs has the general administration of the Act or any instrument under such an Act. |

### 187 Application and transitional provisions

(1) The amendment of subsection 355-65(8) in Schedule 1 to the *Taxation Administration Act 1953* made by this Schedule applies in relation to records and disclosures of information made on or after the commencement of this item (whether the information was acquired before, on or after that commencement).

(2) A record or disclosure made before the commencement of this item that was covered by item 2 of the table in subsection 355-65(8) in Schedule 1 to the *Taxation Administration Act 1953* is taken on and after that commencement to have been a record or disclosure covered by that item as repealed and substituted by this Schedule.

## *Telecommunications (Interception and Access) Act 1979*

### 188 Paragraph 68(o)

Omit “Chief Executive Officer of Customs”, substitute “Secretary of the Immigration and Border Protection Department”.

### 189 Transitional provision

Information communicated to the Chief Executive Officer of Customs before the commencement of this item as mentioned in paragraph 68(o) of the *Telecommunications (Interception and Access) Act 1979* is taken on and after that commencement to have been information communicated to the Secretary of the Immigration and Border Protection Department.

## *Therapeutic Goods Act 1989*

### 190 Subsection 3(1)

Insert:

> ***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 191 Paragraph 14B(b)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 192 Paragraph 19B(7)(b)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 193 Paragraph 19D(5)(b)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 194 Paragraph 41MD(b)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 195 Paragraph 41MJ(b)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 196 Subsections 42F(1) and (2)

Omit "Chief Executive Officer of Customs", substitute "Comptroller-General of Customs".

### 197 Transitional provision

A notification given to the Chief Executive Officer of Customs before the commencement of this item as mentioned in paragraph 14B(b), 19B(7)(b), 19D(5)(b), 41MD(b) or 41MJ(b) or subsection 42F(1) or (2) of the *Therapeutic Goods Act 1989* has effect on and after that commencement as if it had been given to the Comptroller-General of Customs.

## *Trade Marks Act 1995*

### 198 Readers guide (list of terms defined in section 6)

Insert "Comptroller-General of Customs".

### 199 Readers guide (list of terms defined in section 6)

Omit "Customs CEO".

### 200 Subsection 6(1)

Insert:

> ***Comptroller-General of Customs*** means the person who is the Comptroller-General of Customs in accordance with subsection 11(3) or 14(2) of the *Australian Border Force Act 2015*.

### 201 Subsection 6(1) (definition of *Customs CEO*)

Repeal the definition.

### 202 Subparagraph 26(1)(d)(i)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 203 Paragraph 84C(2)(b)

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 204 Section 131

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 205 Subsections 132(1), (3), (4) and (5)

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 206 Section 133 (heading)

Repeal the heading, substitute:

**133 Comptroller-General of Customs may seize goods infringing trade mark**

### 207 Subsections 133(2), (3), (3A), (3B) and (4)

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 208 Section 133A

Omit "The Customs CEO or an officer of Customs", substitute "An officer of Customs".

### 209 Subsection 134(1)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 210 Subparagraph 134(2)(b)(ii)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 211 Subsection 134(4)

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 212 Subsections 134A(1), (2), (3), (4) and (5)

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 213 Subsections 135(1), 136(1) and 136A(2)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 214 Subsections 136B(1), (2) and (3)

Omit “Customs CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 215 Subsection 136C(1)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 216 Paragraph 136C(2)(b)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 217 Subsections 136D(1), (2) and (3)

Omit “Customs CEO” (wherever occurring), substitute “Comptroller-General of Customs”.

### 218 Subsection 136D(4)

Omit “CEO”, substitute “Comptroller-General of Customs”.

### 219 Paragraph 136E(a)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 220 Paragraph 137(2)(b)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 221 Subsection 137(6)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 222 Paragraph 139(1)(b)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 223 Subsection 139(2) (note)

Omit “Customs CEO”, substitute “Comptroller-General of Customs”.

### 224 Section 140 (heading)

Repeal the heading, substitute:

## 140 Power of Comptroller-General of Customs to retain control of goods

### 225 Section 140

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 226 Section 141

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 227 Subsections 141A(1) and (3)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 228 Paragraph 142(a)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 229 Subsection 143(1)

Omit "Customs CEO" (wherever occurring), substitute "Comptroller-General of Customs".

### 230 Subsection 143(1) (note 2)

Omit "Customs CEO", substitute "Comptroller-General of Customs".

### 231 Section 261

Repeal the section.

### 232 Transitional provisions

(1) A thing done by, or in relation to, the Chief Executive Officer of Customs under the *Trade Marks Act 1995* before the commencement of this item has effect on and after that commencement as if it had been done by, or in relation to, the Comptroller-General of Customs.

(2) A determination under section 133A of the *Trade Marks Act 1995* that was in force immediately before the commencement of this item continues in force on and after that commencement as if it were a determination made under that section as amended by this Schedule.

# Schedule 7—Amendments of Acts referring to the Comptroller-General of Customs

## *Agricultural and Veterinary Chemicals (Administration) Act 1992*

### 1 Paragraph 69B(4)(b)

After "Comptroller-General of Customs", insert "(within the meaning of the *Customs Act 1901*)".

## *Remuneration and Allowances Act 1990*

### 2 Part 3 of Schedule 2 (table item dealing with the Comptroller-General of Customs)

Repeal the item.

# Schedule 8—Contingent amendments

## *Australian Border Force Act 2015*

### 1 Paragraph 46(g)

Omit "or the *Education Services for Overseas Students Act 2000*", substitute ", the *Education Services for Overseas Students Act 2000* or the *Biosecurity Act 2015*".

## *Biosecurity Act 2015*

### 2 Section 9 (definition of *international mail centre*)

Repeal the definition, substitute:

> ***international mail centre*** means a place approved by the Comptroller-General of Customs (within the meaning of the *Customs Act 1901*) in an instrument under subsection 183UA(2) of that Act.

### 3 Paragraph 98(1)(d)

Repeal the paragraph.

## *Customs Act 1901*

### 4 Paragraph 205EA(2)(b)

Omit "CEO", substitute "Comptroller-General of Customs".

### 5 Paragraph 206(2A)(b)

Omit "the CEO or a Regional Director for a State or Territory", substitute "the Comptroller-General of Customs".

### 6 Subsection 206(2A)

Omit "the CEO or Regional Director concerned", substitute "the Comptroller-General of Customs".

### 7 Transitional provisions—prohibited psychoactive substances and prohibited serious drug alternatives

(1) A notice given by the Chief Executive Officer of Customs under paragraph 205EA(2)(b) of the *Customs Act 1901* before the commencement of this item is taken on and after that commencement to have been a notice given by the Comptroller-General of Customs under that paragraph as amended by this Schedule.

(2) Goods dealt with in accordance with subsection 206(2A) of the *Customs Act 1901* before the commencement of this item are taken on and after that commencement to have been dealt with in accordance with that subsection as amended by this Schedule.

## *Migration Act 1958*

### 8 Subsection 245LB(2)

Omit “, or under subsection 64ACA(11) or 64ACB(8) of the *Customs Act 1901*,”.

### 9 Subsection 245LB(3)

Repeal the subsection.

## *Telecommunications (Interception and Access) Act 1979*

### 10 Paragraph 110A(1)(e)

Repeal the paragraph, substitute:

(e) subject to subsection (1A), the Immigration and Border Protection Department;

### 11 After subsection 110A(1)

Insert:

(1A) Paragraph (1)(e) applies to the Immigration and Border Protection Department only in connection with the investigation by that Department of a contravention of:

(a) the *Customs Act 1901*; or

(b) the *Crimes Act 1914*; or

(c) the *Criminal Code*; or

(d) the *Environment Protection and Biodiversity Conservation Act 1999*; or

(e) Part 6 of the *Australian Border Force Act 2015*; or

(f) an Act prescribed in a legislative instrument made by the Minister for the purposes of this paragraph; or

(g) a provision of an Act, being a provision prescribed in a legislative instrument made by the Minister for the purposes of this paragraph.

Note: See also section 110B.

## 12 After section 110A

Insert:

### 110B Declarations in relation to the Immigration and Border Protection Department

*Provisions of Chapter 3 or 4 that do not apply to the Immigration and Border Protection Department*

(1) The Minister may, by legislative instrument, declare that:

(a) a specified provision in Chapter 3 or 4, referring to a criminal law-enforcement agency, does not apply in relation to the Immigration and Border Protection Department; or

(b) a specified provision in Chapter 4, referring to an enforcement agency, does not apply in relation to the Immigration and Border Protection Department.

*Provisions of Chapter 3 or 4 that have a limited application to the Immigration and Border Protection Department*

(2) The Minister may, by legislative instrument, declare that:

(a) a specified provision in Chapter 3 or 4, referring to a criminal law-enforcement agency, applies in relation to the Immigration and Border Protection Department only to the extent specified in the declaration; or

(b) a specified provision in Chapter 4, referring to an enforcement agency, applies in relation to the Immigration and Border Protection Department only to the extent specified in the declaration.

## 13 At the end of subsection 176A(1)

Add:

Note: See also section 110B (about declarations in relation to the Immigration and Border Protection Department).

# Schedule 9—Other application and transitional provisions

## 1 References to APS employee in Australian Border Force Act

To avoid doubt, a reference in the *Australian Border Force Act 2015* to an APS employee in the Department is a reference to a person who is an APS employee in the Department, whether the person became such an employee before, on or after the commencement of this item.

## 2 Immigration and Border Protection workers—former Customs workers

*Person whose services made available to Customs*

(1) A person to whom paragraph (b) of the definition of ***Customs worker*** in section 3 of the *Customs Administration Act 1985* applies immediately before the commencement of this item is taken on and after that commencement to be a person to whom paragraph (d) of the definition of ***Immigration and Border Protection worker*** in subsection 4(1) of the *Australian Border Force Act 2015* applies.

*Consultants and contractors*

(2) A person to whom paragraph (c) of the definition of ***Customs worker*** in section 3 of the *Customs Administration Act 1985* applies immediately before the commencement of this item is taken on and after that commencement to be a person to whom paragraph (e) of the definition of ***Immigration and Border Protection worker*** in subsection 4(1) of the *Australian Border Force Act 2015* applies.

*Other persons*

(3) A person to whom paragraph (d) of the definition of ***Customs worker*** in section 3 of the *Customs Administration Act 1985* applies immediately before the commencement of this item is taken on and after that commencement to be a person to whom paragraph (f) of the definition of ***Immigration and Border Protection worker*** in subsection 4(1) of the *Australian Border Force Act 2015* applies.

## 3 Immigration and Border Protection workers—Departmental workers

*Person whose services made available to Department*

(1) For the purposes of paragraph (d) of the definition of ***Immigration and Border Protection worker*** in subsection 4(1) of the *Australian Border Force Act 2015*, it does not matter whether a person's services were first made available to the Department before, on or after the commencement of this item.

*Consultants and contractors*

(2) For the purposes of paragraph (e) of the definition of ***Immigration and Border Protection worker*** in subsection 4(1) of the *Australian Border Force Act 2015*, it does not matter whether the engagement of a person occurred before, on or after the commencement of this item.

*Other persons*

(3) For the purposes of paragraph (f) of the definition of ***Immigration and Border Protection worker*** in subsection 4(1) of the *Australian Border Force Act 2015*, it does not matter whether the engagement of a person occurred, or whether the employment of a person commenced, before, on or after the commencement of this item.

## 4 Prohibited drugs

An instrument in force under section 16H of the *Customs Administration Act 1985* immediately before the commencement of this item is taken on and after that commencement to be an instrument made by the Secretary and in force under subsection 4(3) of the *Australian Border Force Act 2015*.

## 5 Secrecy—protected information

(1) Part 6 of the *Australian Border Force Act 2015* applies in relation to the making of a record of, or the disclosure of, information on or after the commencement of this item, whether the information was obtained before, on or after that commencement.

(2) A person who was, at any time before the commencement of this item, a person to whom section 16 of the *Customs Administration Act 1985*

applied is taken, on and after that commencement, to be an entrusted person for the purposes of the *Australian Border Force Act 2015*.

(3) Any information that, before the commencement of this item, was protected information for the purposes of section 16 of the *Customs Administration Act 1985* is taken, on and after that commencement, to be protected information for the purposes of the *Australian Border Force Act 2015*.

## 6 Secrecy—agreements

(1) Subsection 45(4) of the *Australian Border Force Act 2015* applies in relation to agreements entered into before, on or after the commencement of this item.

(2) An agreement referred to in subsection 16(3D) of the *Customs Administration Act 1985* that was entered into by Customs and that was in force immediately before the commencement of this item is taken on and after that commencement to have been an agreement entered into by the Commonwealth and to be an agreement to which subsection 45(4) of the *Australian Border Force Act 2015* applies.

## 7 Officer of Customs

A thing done under a law of the Commonwealth before the commencement of this item by, or in relation to, an Officer of Customs within the meaning of subsection 4(1) of the *Customs Act 1901* is taken on and after that commencement to have been a thing done under that law by, or in relation to, an officer of Customs within the meaning of that subsection as amended by this Act.

## 8 Transitional—legal proceedings involving the Chief Executive Officer of Customs

If, immediately before the commencement of this item, the Chief Executive Officer of Customs was a party to proceedings pending in any court or tribunal, the Comptroller-General of Customs is substituted for the Chief Executive Officer of Customs as a party to the proceedings on and after that commencement.

## 9 Transitional rules

(1) The Minister may, by legislative instrument, make rules prescribing matters of a transitional nature (including prescribing any saving or application provisions) relating to:

(a) the amendments or repeals made by this Act; or

(b) the enactment of this Act or the *Australian Border Force Act 2015*.

(2) To avoid doubt, the rules may not do the following:

(a) create an offence or civil penalty;

(b) provide powers of:

(i) arrest or detention; or

(ii) entry, search or seizure;

(c) impose a tax;

(d) set an amount to be appropriated from the Consolidated Revenue Fund under an appropriation in this Act;

(e) amend this Act.

(3) This Act (other than subitem (2)) does not limit the rules that may be made for the purposes of subitem (1).

[*Minister's second reading speech made in—*
*House of Representatives on 25 February 2015*
*Senate on 25 March 2015*]

(17/15)