



Customs (Prohibited Imports) Amendment (Firearms) Regulations 2020

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 19 March 2020

David Hurley
Governor-General

By His Excellency's Command

Jason Wood
Assistant Minister for Customs, Community Safety and Multicultural Affairs
Parliamentary Secretary to the Minister for Home Affairs

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1 Name

This instrument is the *Customs (Prohibited Imports) Amendment (Firearms) Regulations 2020*.

2 Commencement

- (1) Each provision of this instrument 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 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	25 March 2020
2. Schedule 1	The day after this instrument is registered.	25 March 2020
3. Schedule 2	The day after the end of the period of 12 months beginning on the day this instrument is registered.	24 March 2021

Note: This table relates only to the provisions of this instrument as originally made.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

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

3 Authority

This instrument is made under the *Customs Act 1901*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments commencing day after registration

Customs (Prohibited Imports) Regulations 1956

1 Subregulation 4F(4) (paragraph (a) of the definition of *firearm accessory*)

Omit “, or capable of, reducing”, substitute “reduce, or capable of reducing.”.

2 Subregulation 4F(4) (after paragraph (b) of the definition of *firearm accessory*)

Insert:

(c) a device designed to give, or capable of giving, a firearm the capability of being operated in a way that mimics:

- (i) burst fire; or
- (ii) fully automatic operation;

Example: A bump stock or auto glove.

3 Subitem 5.1 of Part 3 of Schedule 6 (definition of *category H (dealer stock) article*)

Repeal the definition.

4 Subitem 5.2 of Part 3 of Schedule 6

Omit “subitems 5.3, 5.4 and 5.6”, substitute “subitem 5.4”.

5 Subitem 5.3 of Part 3 of Schedule 6

Repeal the subitem.

6 Subitems 5.6 to 5.14 of Part 3 of Schedule 6

Repeal the subitems.

7 Subitem 5.15 of Part 3 of Schedule 6

Repeal the subitem (not including the note).

Schedule 2—Amendments commencing 12 months after registration

Customs (Prohibited Imports) Regulations 1956

1 Part 2 of Schedule 6 (table item 1, column 3)

Omit “the firearm was manufactured on or after 1 January 1900—the firearm must bear a unique serial number” (wherever occurring), substitute “item 1A of Part 3 of this Schedule applies to the firearm—the firearm must comply with the identification requirements set out in the item”.

2 Part 2 of Schedule 6 (table item 2, column 3)

Omit “the firearm was manufactured on or after 1 January 1900, the firearm must bear a unique serial number”, substitute “item 1A of Part 3 of this Schedule applies to the firearm, the firearm must comply with the identification requirements set out in the item”.

3 Part 2 of Schedule 6 (at the end of the cell at table item 2B, column 3)

Add:

For a frame or receiver to which item 1A of Part 3 of this Schedule applies, the frame or receiver must comply with the identification requirements set out in the item.

4 Part 2 of Schedule 6 (table item 3, column 3)

Omit “the firearm was manufactured on or after 1 January 1900—the firearm must bear a unique serial number” (wherever occurring), substitute “item 1A of Part 3 of this Schedule applies to the firearm—the firearm must comply with the identification requirements set out in the item”.

5 Part 2 of Schedule 6 (at the end of the cell at table item 4, column 3)

Add:

For a frame or receiver to which item 1A of Part 3 of this Schedule applies, the frame or receiver must comply with the identification requirements set out in the item.

6 Part 2 of Schedule 6 (table item 6, column 3)

Omit “the firearm was manufactured on or after 1 January 1900, the firearm must bear a unique serial number”, substitute “item 1A of Part 3 of this Schedule applies to the firearm, the firearm must comply with the identification requirements set out in the item”.

7 Part 2 of Schedule 6 (at the end of the cell at table item 7, column 3)

Add:

For a frame or receiver to which item 1A of Part 3 of this Schedule applies, the frame or receiver must comply with the identification requirements set out in the item.

8 Part 2 of Schedule 6 (table item 9, column 3)

Omit “the firearm was manufactured on or after 1 January 1900—the firearm must bear a unique serial number” (wherever occurring), substitute “item 1A of Part 3 of this Schedule applies to the firearm—the firearm must comply with the identification requirements set out in the item”.

9 Part 2 of Schedule 6 (at the end of the cell at table item 9B, column 3)

Add:

For a frame or receiver to which item 1A of Part 3 of this Schedule applies, the frame or receiver must comply with the identification requirements set out in the item.

10 Part 2 of Schedule 6 (table item 12, column 3)

Omit “the firearm was manufactured on or after 1 January 1900, the firearm must bear a unique serial number”, substitute “item 1A of Part 3 of this Schedule applies to the firearm, the firearm must comply with the identification requirements set out in the item”.

11 Part 2 of Schedule 6 (at the end of the cell at table item 13, column 3)

Add:

For a frame or receiver to which item 1A of Part 3 of this Schedule applies, the frame or receiver must comply with the identification requirements set out in the item.

12 Part 2 of Schedule 6 (table item 14A, column 3)

Omit “If the firearm was manufactured on or after 1 January 1900, the firearm must bear a unique serial number.”, substitute “For a firearm, frame or receiver to which item 1A of Part 3 of this Schedule applies, the firearm, frame or receiver must comply with the identification requirements set out in the item.”.

13 Part 2 of Schedule 6 (table item 14A, column 3)

Omit “If item 1 of Part 3 of this Schedule applies to the firearm”, substitute “For a firearm to which item 1 of Part 3 of this Schedule applies”.

14 Item 1A of Part 3 of Schedule 6 (heading)

Repeal the heading, substitute:

1A. Identification requirements for firearms, frames and receivers

15 Subitem 1A(1) of Part 3 of Schedule 6

Repeal the subitem, substitute:

Scope of this item

- (1) This item applies to a firearm, frame or receiver that was manufactured on or after 1 January 1900.

Identification requirements

16 Subitem 1A(2) of Part 3 of Schedule 6

Omit “is taken to comply with the requirement”, substitute “, frame or receiver complies with the identification requirements”.

17 Paragraph 1A(2)(a) of Part 3 of Schedule 6

Repeal the paragraph, substitute:

- (a) the firearm, frame or receiver is visually inspected by a Collector, and found to comply with subitem (3); or

18 Subparagraph 1A(2)(b)(i) of Part 3 of Schedule 6

Repeal the subparagraph, substitute:

- (i) the firearm, frame or receiver is included in a consignment of firearms, frames or receivers;

19 Subparagraph 1A(2)(b)(iii) of Part 3 of Schedule 6

Repeal the subparagraph, substitute:

- (iii) the result of the visual inspection is that each firearm, frame or receiver in the sample is found to comply with subitem (3).

20 At the end of item 1A of Part 3 of Schedule 6

Add:

- (3) For the purposes of subitem (2), a firearm, frame or receiver must:
 - (a) have a unique serial number that consists only of Arabic numerals, English letters, or punctuation marks; and
 - (b) display the serial number in accordance with subitem (4):
 - (i) in the case of a firearm—on the frame or receiver of the firearm; or
 - (ii) in the case of a frame or receiver—anywhere on the frame or receiver.
- (4) For the purposes of paragraph (3)(b), the serial number must be:
 - (a) easily recognisable as the serial number of the firearm, frame or receiver; and
 - (b) legible; and
 - (c) able to be read without the use of any device or tool.