



DEPARTMENT OF IMMIGRATION AND BORDER PROTECTION NOTICE

No. 2015/40

Amendments to the Customs (Prohibited Imports) Regulations 1956 – Firearms and Weapons

The Customs (Prohibited Imports) Amendment (Firearms and Other Weapons) Regulation 2015 (Amendment Regulation) has now become law. This Amendment Regulation affects the lawful importation of certain firearms and weapons in certain circumstances under the Customs (Prohibited Imports) Regulations 1956 (the PI Regulations).

The changes to the PI Regulations are mostly deregulatory to improve the defence and law enforcement industries' ability to source specialised goods for use in the production of defence and law enforcement goods or supply to defence and law enforcement agencies. Some other changes will affect individuals who import some of the goods for personal use, such as individuals who are collectors or operate military museums.

Strict governance arrangements remain in place to ensure that only those with a lawful need to import firearms, weapons and associated parts, and components into Australia are able to do so provided they meet certain conditions and requirements.

Major changes

The major changes to the PI Regulations include:

- Import permission will no longer be required for the following:
 - Schedule 13 goods imported for the purposes of transshipment (Regulation 3D).
 - The re-importation of firearms used in lawful shooting or hunting activities overseas by Australian residents (subject to conditions in new Regulation 3E).
 - Eligible Schedule 13 goods imported by Australian Community members of the Australia-United States Defence Trade Cooperation Treaty (new Regulation 3F).
- Adjustable, detachable and folding stocks are now defined under 'firearm part' rather than 'firearm accessory', impacting on which 'tests' are applied to these goods.
- Anti-personnel sprays and chemicals are removed from Schedule 3 and are now classified under new Item 45 of Schedule 13.
 - This allows these goods to be treated consistently with other Schedule 13 weapons, such as the requirement for importers to meet one of the applicable 'tests' to import these goods.
- Military vehicles, aircraft and vessels within the categories of battle tanks, armoured combat vehicles, combat aircraft, attack helicopters and warships are now controlled under new Item 1A of Schedule 13.
 - This ensures that offensive military vehicles, aircraft and vessels that contain weapons are controlled on import. It also ensures that civilian dual-use parts and components which are unrelated to weapons (such as axles, engine parts, gearboxes, rotors etc.) can be imported without a permit.
Weapons, weapons parts and components that can be affixed to any type of vehicle, aircraft and vessel remain controlled under Item 1 of Schedule 13.

- ‘Flipper knives’ have been removed from import control under Item 14 of Schedule 13.
 - The controls remain on automatic and assisted opening knives (i.e. switchblades and flick knives).
- The controls on single-handed opening knives and parts for single-handed opening knives have been removed (Items 16 and 17 of Schedule 13).
 - This allows importers to import single-handed opening knives that can be opened by gravity, inertia or centrifugal force. These knives have many lawful uses, including for use in outdoor recreational activities such as camping, mountaineering and hiking.
- Item 41 of Schedule 13 (body armour) has been amended so that only body armour or similar goods that are designed for anti-ballistic or anti-fragmentation purposes and are designed to be worn on the human body are controlled.
 - Goods such as eye and hearing protection, helmets and vests or plate carriers with no anti-ballistic or anti-fragmentation protection are not controlled.

Further information

For further information regarding the importation of firearms and weapons, please visit the Department’s [Firearms and Weapons webpage](#).

The complete Regulation Amendment can be viewed on the [ComLaw website](#).

If you have any questions regarding this amendment, please email Restricted Goods Policy at fwp@border.gov.au.

[signed]

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