



Australian Government
Australian Customs and
Border Protection Service

Senator Trish Crossin
Chair
Standing Committee on Legal and Constitutional Affairs
PO Box 6100
Parliament House
Canberra ACT 2600

Customs House
5 Constitutional Avenue
CANBERRA ACT 2601

Email: egcon.sen@aph.gov.au

Dear Senator Crossin,

Customs Amendment (Miscellaneous Measures) Bill 2012 – questions on notice

Thank you for your letter of 25 February 2013 requesting a written response to a question on notice relating to the Senate Legal and Constitutional Affairs Legislation Committee's inquiry into the Customs Amendment (Miscellaneous Measures) Bill 2012 (Bill).

In its submission, the Australian Shipowners Association (ASA) stated it has 'some concerns in relation to the consequences of the proposed amendments to subsections 71A(7) and (8) and subsections 68(2) and (3) set out in the Bill, and the new policy approach of the Australian Customs and Border Protection Service (Customs and Border Protection) in relation to ship importation'.

Customs and Border Protection has reviewed the ASA's submission and can advise that the matters raised are not relevant to the amendments proposed to be made in this Bill. Customs and Border Protection can also confirm that it does not have a new policy position in relation to importation of ships.

The proposed amendments are not about determining whether or not a ship is imported. The Bill is making clear that if self-powered ships or aircraft are imported or intended to be imported, they must (like all other goods) be entered for home consumption or warehousing in accordance with subsections 68(2) and 68(3). The Bill is clarifying existing policy.

The Bill also makes it clear that self-powered ships and aircraft that are imported or intended to be imported shall be subject to the control of Customs from the time of arrival in Australia until the ship or aircraft is entered or is exported to a place outside Australia.

Yours sincerely

Raelene Vivian
National Director
Cargo and Trade Division

28th February 2013