AUSTRALIAN CUSTOMS NOTICE NO. 2007/45

**Amendment to the *Customs (Prohibited Imports) Regulations 1956***

**Regulation 4AA – Importation of Plastic Explosives**

The *Customs (Prohibited Imports) Regulations 1956* has been amended to insert a new regulation 4AA which controls the importation of plastic explosives. New regulation 4AA commenced on 25 August 2007.

Regulation 4AA complements amendments made to the *Criminal Code Act 1995* (the Criminal Code) by the *Law and Justice Legislation Amendment (Marking of Plastic Explosives) Act 2007* which gives effect to Australia’s international obligations under the *United Nations Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montreal, 1991)*. The new import control on plastic explosives in regulation 4AA forms an integral part of the new control on plastic explosives provided in new Subdivision B of Division 72 of the Criminal Code.

Regulation 4AA prohibits the importation into Australia of plastic explosives unless written permission has been granted by the Attorney-General or an authorised person of the Attorney- General’s Department, and the permission is produced to the Collector of Customs.

A plastic explosive is taken to mean an explosive product (including an explosive product in flexible or elastic sheet form) that is:

1. formulated with:
   1. one or more high explosives which in their pure form have a vapour pressure less than 10¯ 4 Pa at a temperature of 25°C; and
   2. a binder material; and
2. as a mixture, malleable or flexible at normal room temperature.

The meaning of ‘plastic explosive’ is the same as in new Subdivision B of Division 72 of the Criminal Code.

Intending importers of plastic explosives will be required to submit an *Application for Permission to Import Plastic Explosives* and provide a *Manufacturers Certificate* as evidence of whether the plastic explosive is marked or unmarked.

The exportation of plastic explosives will continue to be controlled by regulation 13E of the *Customs (Prohibited Exports) Regulations 1958.*

The Attorney-General’s Department is the policy agency for this control and further information and access to the necessary forms can be obtained from the website [http://www.ag.gov.au](http://www.ag.gov.au/).

Enquiries concerning this notice may be directed to the Manager, Counter Proliferation on telephone number (02) 6275 6189 or fax number (02) 6275 6699.

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