

AUSTRALIAN CUSTOMS AND BORDER PROTECTION NOTICE NO. 2014/07

Commencement of the new Infringement Notice Scheme

The *Customs and AusCheck Legislation Amendment (Organised Crime and Other Measures) Act 2013* (Organised Crime Act) received Royal Assent on 28 May 2013. The legislation made significant changes to the *Customs Act 1901* Infringement Notice Scheme (INS). These changes improve the utility of the INS by increasing penalties to encourage greater compliance and to move aspects of the scheme into the Customs Regulations to provide some flexibility and simplification.

# Commencement of the new Infringement Notice Scheme

The new Customs Act INS comes into effect on 1 February 2014 when the *Customs Amendment (Infringement Notices) Regulation 2013* commences. We have published an INS Guide on the Australian Customs and Border Protection Service (ACBPS) website [here,](http://www.customs.gov.au/webdata/resources/files/INSGuide2014.pdf) which explains the ACBPS approach to issuing an infringement notice and set outs the amount payable under an infringement notice for a natural person or body corporate who has allegedly committed an offence.

The INS Guide incorporates some of the feedback we received from industry and others during the exposure draft period ([ACBPN 2013/52](http://www.customs.gov.au/webdata/resources/files/ACBPNExposureDraftofCustomsAmendmentInfringementNoticesRegulation2013.pdf) refers).

Please note that the current Customs Act INS and INS Guidelines continue to apply where the date of the alleged offence occurred before 1 February 2014, even if the infringement notice is issued on or after 1 February 2014. The new Customs Act INS and Guide apply where the date of the alleged offence occurs on or after 1 February 2014.

# Further Information

You can find further information about the measures in the Organised Crime Act, including the changes to the INS, on the ACBPS website at [http://www.customs.gov.au/site/page4271.asp.](http://www.customs.gov.au/site/page4271.asp)

If you have any queries about this Notice, please direct them to [Compliance1@customs.gov.au.](mailto:Compliance1@customs.gov.au)

[Signed]

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Compliance Assurance Branch 29 January 2014