DEPARTMENT OF IMMIGRATION AND BORDER PROTECTION NOTICE

**No. 2016/09**

***Commerce (Imports) Regulations 1940* – Deferral of Sunsetting Date**

On 21 March 2016, the Attorney-General’s decision to defer the sunsetting date for the *Commerce (Imports) Regulations 1940* (CI Regulations) was notified on the *Federal Register of Legislation*. The expiration date for the CI Regulations was deferred to **1 April 2017**.

The Minister for Immigration and Border Protection sought this deferral on the basis that the CI Regulations could not be remade before the sunsetting date, due to unforseen and unavoidable circumstances. These circumstances were the extended timeframes to implement the Australian Government’s broader reforms for the Country of Origin Labelling (CoOL) framework for food. These reforms require the CI Regulations, which cover food imports, to be amended. The deferral will ensure the remade CI Regulations give effect to these reforms. This will minimise disruption to stakeholders and streamline the regulatory process. The CI Regulations will be remade once the CoOL reforms are implemented (in the second half of 2016).

In late 2015, the Department of Immigration and Border Protection (the Department) reviewed the CI Regulations to identify any redundant provisions and deregulation opportunities. This review was subject to a public consultation process. Submissions made to this process will be considered when the CI Regulations are remade.

# Background

The CI Regulations ensure that the Australian Border Force (ABF) can enforce labelling requirements for a range of goods, including food, at the Australian border. The *Commerce (Trade Descriptions) Act 1905* and the CI Regulations give ABF officers the power to inspect and examine imports to determine accurate trade descriptions, including country of origin, have been applied.

The existing CI Regulations will continue in force until they are remade or they expire (in April 2017). Until this occurs, there is no change to the requirements for imported goods to be labelled.

# Further information

Further information about the CI Regulations is available on the Department’s website at [www.border.gov.au.](http://www.border.gov.au/)

[Signed]

Andrew Chandler Assistant Secretary

Trade and Customs Branch Canberra ACT

24 March 2016

Page 1 of 1