



**FEDERAL
CHAMBER OF
AUTOMOTIVE
INDUSTRIES**

14 April 2026

Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Emailed via: legcon.sen@aph.gov.au

To whom it may concern,

Re: Federal Chamber of Automotive Industries submission on *Customs Legislation Amendment (False Trade Marks Infringement Notices) Bill 2026*

The Federal Chamber of Automotive Industries (FCAI) supports the passage of the *Customs Legislation Amendment (False Trade Marks Infringement Notices) Bill 2026 (the Bill)* which is currently before the Committee.

As the Australian peak industry body representing the manufacturers, importers and distributors of light-duty vehicles, motorcycles and off-highway vehicles, the FCAI understands the importance of protecting consumers from the risks posed by dangerous counterfeit parts.

The integrity of automotive parts, and the protection of consumers are matters of fundamental importance to FCAI members. Counterfeit automotive parts pose direct risks to the reliability of vehicles and consumer safety. The prevalence of counterfeit parts also undermines consumer confidence in automotive brands and presents significant commercial risks to legitimate businesses.

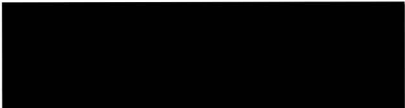
The current legislative framework, which relies on civil litigation as the primary enforcement mechanism, creates an unreasonable barrier to protecting consumers and businesses. Enforcement under the current regime is beyond the reach of many industry participants due to prohibitively high costs associated with legal action, which anecdotal evidence shows can reach beyond \$300,000 per case. As a result, seized counterfeit goods are often released without consequence to the importer.

The FCAI believes that *the Bill* addresses this gap in a proportionate and well-considered manner.

Infringement notices can serve as an effective and practical deterrent. The FCAI notes that the proposed reforms do not alter existing compliance processes or impose additional burdens on lawful importers. The discretion afforded to the Australian Border Force in determining whether to issue a notice provides appropriate flexibility, and the penalty levels represent a meaningful disincentive to those seeking to profit from the importation of counterfeit goods.

The FCAI supports the passage of *the Bill* as a responsible step to further protect consumers and the automotive industry.

Kind Regards



Tony Weber
Chief Executive