

## QUESTION TAKEN ON NOTICE

**BUDGET ESTIMATES HEARING : 25 May 2015**

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

**(BE15/183) - Illegal exportation of firearms - Programme 1.1: Border Enforcement**

Senator Leyonhjelm, David (L&CA) written:

1. Was an individual prosecuted on or about May 6 2015 in the Perth Magistrates Court for illegally exporting firearms telescopic sights, a bi-pod and/or scope rings without the consent of the Minister for Defence? If so, in what way was the Australian Customs & Border Protection Service involved?
2. What was the outcome of the prosecution?
3. What was the cost to the Commonwealth of the prosecution?
4. Is the import of these items prohibited or restricted?

*Answer:*

1. Yes. The Australian Customs and Border Protection Service initiated the prosecution.
2. The Accused plead guilty to attempting to export a prohibited export in contravention of section 233(1) (c) of the *Customs Act 1901*. One count of attempting to export a prohibited export in contravention of section 233(1) (c) of the *Customs Act 1901* was discontinued by the Prosecution. The items referred to in the charges namely 1 x rifle bolt, 1 x rifle bi-pod, 2 x rifle scope rings and 3 x rifle scopes were ordered to be forfeited to the Crown and the Accused was ordered to pay \$15,000 of costs.
3. The Commonwealth incurred \$57,371.40 of professional legal fees and disbursements in pursuing the prosecution.
4. Restricted