

## QUESTION TAKEN ON NOTICE

### SUPPLEMENTARY BUDGET ESTIMATES – 20 OCTOBER 2014

#### IMMIGRATION AND BORDER PROTECTION PORTFOLIO

#### (SE14/051) PROGRAMME – Australian Customs and Border Protection Service

Senator Leyonhjelm (Written) asked:

What types of firearm parts have been intercepted and denied entry by Customs (in a list preferably) in the last 24 months?

- a. Please provide a copy of the guidelines which determine what is intercepted and denied entry.
- b. Who was consulted when the guidelines was adopted?
- c. When were the guidelines last reviewed?
- d. Has Customs had any complaints in relation to application of the guidelines? If yes, what was the outcome of the complaints?
- e. Has Customs released any products as a consequence of complaint(s)?

*Answer:*

A firearm part, for a firearm, means any of the following items, whether or not complete, damaged, temporarily or permanently inoperable, or unfinished:

- a) a gas piston, friction ring, action bar, breech bolt or breech block;
- b) a firearm barrel;
- c) a trigger mechanism;
- d) a frame or receiver;
- e) a slide;
- f) an upper receiver;
- g) a lower receiver;
- h) a revolving cylinder;
- i) a bolt carrier;
- j) something, other than a complete firearm, that includes one or more of the items mentioned in paragraphs (a) to (i).

Note: The effect of the definition is that some items used in a firearm are not treated as 'firearm parts' by themselves, including the following items:

- a) a firearm accessory, a firearm magazine or ammunition;
- b) a screw, spring, or other minor component, of a firearm.

To provide a quantitative list of actual firearms parts intercepted and denied entry for the last 24 months would be an unreasonable diversion of resources.

- a) The *Customs (Prohibited Imports) Regulations 1956* (the Regulations) determines what firearm parts are controlled at importation and require permission to be imported into Australia.  
<http://www.comlaw.gov.au/Details/F2014C01263>
- b) The Attorney-General's Department (AGD) is responsible for the Commonwealth's overarching policy on firearms. Any questions regarding

the development of the controls on 'firearm parts' under the Regulations should be directed to AGD.

- c) The definition of 'firearm parts' was last reviewed as part of the *Customs (Prohibited Imports) Amendment (Firearms) Regulations 2013*, which came into effect 13 July 2013.
- d) The Australian Customs and Border Protection Service (ACBPS) has received correspondence, including complaints, in relation to the application of the definition of a firearm part under the Regulations. Each matter is handled on a case by case basis, depending on the nature of the complaint.
- e) Where ACBPS determines that the goods do not meet the legislative definition of a 'firearm part' under the Regulations, and where the goods are not subject to any other legislative controls, the goods are released.