

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE

Question No. 4

Senator Boswell asked the following question at the hearing on 22 February 2011:

Currently, boats can be imported into Australia which are not compliant with our own design standards- ie they do not possess a C-Tick certificate of approval. Non compliant engines including outboards are also imported into Australia. These can interfere with modems and potentially life saving electronic equipment including radios and even heart pace-makers.

These non compliant engines and boats are illegal under the Radio communications Act 1992, the Radiocommunications Labelling (Electromagnetic Compatibility) Notice 2008 yet they are imported into Australia and sold here.

Why does Australian Customs not enforce this important standard?

What imports of non compliant boat engines have been seized by Australian Customs since 2008?

The answer to the honourable senator's question is as follows:

The C-Tick arrangements are made by the Australian Communications and Media Authority (ACMA) under the *Radiocommunications Act 1992*. The C-tick arrangements include technical standard, labelling and record keeping requirements in relation to electromagnetic compatibility (EMC) of electrical and electronic equipment, vehicles and devices with internal combustion engines.

Information on EMC and C-tick requirements is available from the ACMA website at www.acma.gov.au under 'Licensing and Regulation>Equipment Compliance and Labelling'. Questions relating to possible interference with radiocommunications can be directed to the ACMA at www.acma.gov.au under 'How do I make a comment or request' on the ACMA homepage.

As many goods can be modified after importation to meet the requirements of domestic regulations, Customs and Border Protection does not have a role in enforcing design standards at the border, as they do not form part of the prohibited imports or exports regime. If ACMA were to consider that there was a safety risk they could contact Customs and Border Protection to discuss how Customs and Border Protection might be able to assist.

Customs and Border Protection have not seized any of these goods in the period as these are not prohibited imports.