



# Customs (Prohibited Imports) Amendment (Engineered Stone) Regulations 2024

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I, the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated

5 December 2024

Sam Mostyn AC  
Governor-General

By Her Excellency's Command

Tony Burke  
Minister for Home Affairs

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## 1 Name

This instrument is the *Customs (Prohibited Imports) Amendment (Engineered Stone) Regulations 2024*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 January 2025.	1 January 2025

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Customs Act 1901*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### *Customs (Prohibited Imports) Regulations 1956*

#### 1 After regulation 5L

Insert:

#### 5M Importation of engineered stone benchtops, panels or slabs

(1) In this regulation:

*Asbestos and Silica Safety and Eradication Agency* means the Agency referred to in section 6 of the *Asbestos and Silica Safety and Eradication Agency Act 2013*.

*authorised person* means a person authorised by the Work Health and Safety Minister under subregulation (5).

*Comcare* means the body corporate established under section 68 of the *Safety, Rehabilitation and Compensation Act 1988*.

*corresponding WHS law* has the same meaning as in the *Work Health and Safety Act 2011*.

*engineered stone* has the same meaning as in the *Work Health and Safety Regulations 2011*.

(2) The importation into Australia of engineered stone in the form of benchtops, panels or slabs is prohibited unless:

- (a) the Work Health and Safety Minister or an authorised person has granted permission in writing, and a copy of the permission is produced to a Collector on request at or before the time of importation; or
- (b) Comcare has confirmed in writing that the proposed use of the goods is for a purpose mentioned in paragraph (3)(a) and is permitted under the *Work Health and Safety Act 2011* (Cth), and a copy of the confirmation is produced to a Collector on request at or before the time of importation; or
- (c) all of the following apply:
  - (i) an authority of a State or Territory has confirmed in writing that the proposed use of the goods is for a purpose mentioned in paragraph (3)(a);
  - (ii) the authority is an authority of the State or Territory in which the goods are to be used for that purpose;
  - (iii) a copy of the confirmation is produced to a Collector on request at or before the time of importation; or
- (d) the importation is of a kind of benchtops, panels or slabs that is the subject of an exemption granted under subregulation 684(1) or 689A(1) of the *Work Health and Safety Regulations 2011*, or a corresponding WHS law, and a copy of the exemption is produced to a Collector on request at or before the time of the importation.

(3) A permission under paragraph (2)(a) may only be granted if the Work Health and Safety Minister or authorised person is satisfied that:

- (a) the importation is for either or both of the following purposes:

- (i) for genuine research and analysis;
    - (ii) to sample and identify engineered stone; or
  - (b) there are exceptional circumstances that justify the importation.
- (4) The permission may specify conditions or requirements, including times for compliance, to which the importation is subject.
- (5) The Work Health and Safety Minister may, in writing, authorise a person for the purposes of this section if the person is:
- (a) the Chief Executive Officer of the Asbestos and Silica Safety and Eradication Agency; or
  - (b) a person who holds, or is acting in, a position in the Department that is equivalent to or higher than a position occupied by an SES employee.