



Australian
BORDER FORCE

Australian Customs Notice No. 2022/10

New restrictions for the importation and exportation of elemental mercury

Legislation changes and permission to import and export mercury

From 7 March 2022, the **importation of mercury** will be prohibited under the new Regulation 4AC of the *Customs (Prohibited Imports) Regulations 1956* (PI Regulations), and the **exportation of mercury** will be further restricted with amendments to Regulation 4A of the *Customs (Prohibited Exports) Regulations 1958* (PE Regulations). These amendments are part of the measures taken by the Australian Government to ratify the international Minamata Convention on Mercury (the Convention).

Mercury means elemental mercury (Hg(0), CAS No. 7439-97-6), and includes mixtures of mercury (including alloys of mercury) with a mercury concentration of at least 95% by weight, but does not include non-Minamata mercury. This is as defined in Subregulation 2(1) of the PI Regulations and Subregulation 2(1) of the PE Regulations.

Amendments were also made to the below legislation, prohibiting and restricting trade and manufacture of mercury and certain mercury products, to account for the uses of mercury across a range of industries. Permission to import and export mercury will be required from the relevant Minister or authorised officer, depending on the intended use of the mercury. Permission can be granted under any one of the below legislation and through the relevant agency noted.

- The *Agricultural and Veterinary Chemicals (Administration) Regulations 1995* – administered by the Department of Agriculture, Water and the Environment (DAWE).
- The *Therapeutic Goods Regulations 1990* – administered by the Therapeutic Goods Administration (TGA), Department of Health.
- The *Industrial Chemicals (General) Rules 2019* – administered by the Office of Chemical Safety (OCS), Department of Health.

Australia's ratification of the Minamata Convention on Mercury

Australia signed the Convention in 2013 and ratified the Convention on 7 December 2021. Mercury is a highly toxic heavy metal that can have harmful effects on people, ecosystems, and wildlife. The aim of the Convention is to protect human health and the environment from the risks of exposure to mercury, in part by restricting the manufacture, trade and use of mercury at a global level.

For further details about the Convention and the regulatory changes, please visit DAWE's website [here](#).

Further information on permission to import or export mercury can be found under the list of Prohibited Goods on the ABF Website, at: <https://www.abf.gov.au/importing-exporting-and-manufacturing/prohibited-goods/list-of-items>

[Signed]

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