



**Australian
BORDER FORCE**

28 July 2025

Ms Joanna Abhayaratna
Executive Director
Office of Impact Analysis
Department of the Prime Minister and Cabinet
1 National Circuit
BARTON ACT 2600

Email: Helpdesk-OIA@pmc.gov.au

Dear Ms Abhayaratna

Certification of Sunsetting Instrument

I am writing to you regarding the *Customs (Australian Trusted Trader Programme) Rule 2015* which, as per the *Legislation Act 2003*, is scheduled to sunset on 01 October 2025.

The *Customs (Australian Trusted Trader Programme) Rule 2015* is intended to be remade as the *Customs (Australian Trusted Trader Programme) Rule 2025*, with minor amendments to ensure the effective administration of the Australian Trusted Trader (ATT) Programme.

The *Customs (Australian Trusted Trader Programme) Rule 2015* prescribes the following matters for the purposes of section 179 of the *Customs Act 1901* (the Act):

- the qualification criteria that an entity must satisfy in order to enter into a trusted trader agreement (see paragraph 179(1)(a) of the Act);
- the matters that the Comptroller-General of Customs (Comptroller-General) must consider when deciding whether to enter into a trusted trader agreement (see paragraph 179(1)(b) of the Act);
- the conditions on which an entity participates in the ATT Programme (see paragraph 179(1)(c) of the Act);
- other conditions to which a trusted trader agreement may be subject (see paragraph 179(1)(g) of the Act);
- the kind of obligations under the Act that an entity may be released from or may be required to satisfy in a different way (see paragraph 179(1)(d) of the Act);
- the kind of benefits that an entity may receive under a trusted trader agreement (see paragraph 179(e) of the Act);
- procedures that the Comptroller-General must follow when varying, suspending or terminating a trusted trader agreement (see paragraph 179(1)(h) of the Act);
- the matters the Comptroller-General must follow when deciding whether to vary, suspend, or terminate a trusted trader agreement (see paragraph 179(1)(i) of the Act);
- the kinds of information that may be published on the Register of Trusted Trader Agreements for each agreement entered into (see paragraph 179(1)(j) of the Act).

In lieu of a detailed Impact Analysis for remaking the instrument, the Department of Home Affairs (the Department) has self-assessed the *Customs (Australian Trusted Trader Programme) Rule 2015*, and certifies that it that it was largely achieving its objectives efficiently and effectively - consistent with the government's requirements for Sunsetting Legislative Instruments.

The Department determined that the *Customs (Australian Trusted Trader Programme) Rule 2015* should be remade with minor amendments to ensure the *Customs (Australian Trusted Trader Programme) Rule 2025* continues to effectively administer the ATT Programme. The amendments incorporated into the *Customs (Australian Trusted Trader Programme) Rule 2025* relate to the requirement for an entity to provide information in relation to defined persons upon request to an Immigration and Border Protection worker for the purposes of conducting periodic police checks. The provision of this information is a condition of an entity's participation in the ATT Programme. This has been an established operational requirement for the Programme since 2018 and does not substantially alter existing arrangements.

The assessment that the legislation is largely operating effectively and efficiently has been informed by a consultation process which involved industry including all members of the Programme, over the period May 2024 to October 2024. A majority of respondents provided feedback that they were satisfied with the *Customs (Australian Trusted Trader Programme) Rule 2015* and additional feedback was provided on the future direction of the ATT Programme.

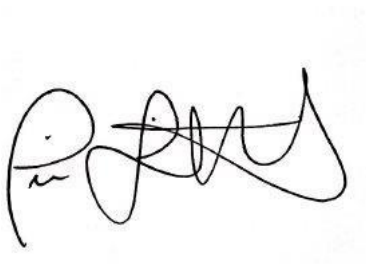
The regulatory burden of remaking this instrument to business, community organisations and individuals has been quantified by the Department using the Australian Government's Regulatory Burden Measurement framework. As the change does not substantially alter the policy the additional cost of compliance for each category is nil.

Average annual regulatory costs (from business as usual)

| Change in costs (\$ million) | Business | Community organisations | Individuals | Total change in costs |
|-------------------------------------|----------|-------------------------|-------------|-----------------------|
| Total, by sector | NIL | NIL | NIL | NIL |

I acknowledge that the OIA will publish this letter for transparency purposes.

Yours sincerely



Tim Fitzgerald
Deputy Commissioner
National Operations
Australian Border Force