Australian Customs Notice 2001 52

**AUTOMOTIVE COMPETITIVENESS AND INVESTMENT SCHEME (ACIS) AMENDMENTS TO CUSTOMS REFUND REGULATIONS**

Australian Customs Notice [No.2001/24](https://borderauthor.border.gov.au/Customsnotices/Documents/acn0124.pdf) provides information to interested parties about the introduction of the Automotive Competitiveness and Investment Scheme (ACIS) which is administered by AusIndustry, a division of the Department of Industry Science and Resources.

Item 41E of Schedule 4 to the *Customs Tariff Act 1995* provides a concessional rate of duty on certain automotive goods, prescribed by by-law, imported by a person who applies ACIS credits to that importation.

Associated with the introduction of ACIS, amendments have been made to the Customs refund regulations to permit importers to apply for refunds of duty in return for ACIS credits. These amendments take effect from 17 August 2001 and were published in Special Gazette No S339 of that date.

Under the new refund circumstance, paragraph 126(1)(z) of the *Customs Regulations 1926*, importers will be able to apply for a refund where they have:

imported relevant automotive goods but did not own any duty credits at the time of importation and they have subsequently become the owner of duty credits;

imported goods under item 41E offsetting some of the duty payable on the goods and they subsequently become the owner of additional duty credits; and

failed to import the goods under item 41E even though they owned duty credits at the time.

**Procedure for applying for a Refund**

To claim a refund of Customs duty, in return for duty credits earned under ACIS, a customer must transfer those credits to the Commonwealth.

To transfer ACIS credits to the Commonwealth the owner of the ACIS credits will need to complete a *Notification of a Movement of ACIS Credits to the Commonwealth* form and lodge it with AusIndustry.

On receipt of this form, AusIndustry will move the credits to the Commonwealth Ledger account. They will then write to the applicant (or their broker as applicable) advising that that the credits are available to be used for refund purposes.

The applicant can then formally lodge a refund claim with Customs in the normal manner.

Information on the Customs refund circumstance in relation to ACIS may be directed to Michael Kearns (Refunds Section) on telephone (02) 6275 5805 or email to [michael.kearns@customs.gov.au](mailto:michael.kearns@customs.gov.au).

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