Australian Customs Notice No. 2019/33

# Amendments to Schedule 4 to the

*Customs Tariff Act 1995*

## Item 14 – Goods for use in a petroleum activity in the Timor Sea

Item 14 of Schedule 4 provides a ‘Free’ rate of duty for goods prescribed by by-law for use in petroleum activities within specified areas of the Timor Sea.

The *Timor Sea Maritime Boundaries Treaty Consequential Amendments Act 2019* amends the areas of the Timor Sea to which Item 14 applies and the definition of ‘petroleum activity’. As a consequence, Customs Tariff By-law No. 1300532 will be revoked and replaced with Customs Tariff By-law No. 1900564. The new by-law commenced on 30 August 2019.

The revised text of Item 14 and the text of By-law No. 1900564 will be made available on the Online Tariff on the Australian Border Force website: [https://www.abf.gov.au/importing-exporting-and-manufacturing/tariff-](https://www.abf.gov.au/importing-exporting-and-manufacturing/tariff-classification/current-tariff/schedule-4) [classification/current-tariff/schedule-4.](https://www.abf.gov.au/importing-exporting-and-manufacturing/tariff-classification/current-tariff/schedule-4) Revised Customs Tariff Working Pages are at Attachment A.

## Item 41 – Goods for use in space projects

Item 41 of Schedule 4 provides a ‘Free’ rate of duty for goods prescribed by by-law for use in an authorised space project.

The *Space Activities Amendments (Launches and Returns) Act 2018*, amends Item 41 to repeal the reference to *‘Space Activities Act 1998’* and replaces it with a reference to *‘Space (Launches and Returns) Act 2018*. This amendment commenced on 1 September 2019.

Item 41 is administered by the Department of Industry, Innovation and Science. Further information about this item is available on the AusIndustry website: <https://www.business.gov.au/assistance/space-concession>

The revised text of Item 41 will be made available on the Online Tariff on the Australian Border Force website: [https://www.abf.gov.au/importing-exporting-and-manufacturing/tariff-classification/current-](https://www.abf.gov.au/importing-exporting-and-manufacturing/tariff-classification/current-tariff/schedule-4) [tariff/schedule-4.](https://www.abf.gov.au/importing-exporting-and-manufacturing/tariff-classification/current-tariff/schedule-4) Revised Customs Tariff Working Pages are at Attachment A.

[Signed] Suzanne Ford

A/g Assistant Secretary

Customs and Border Revenue Branch 27 August 2019

***Australia’s customs service***

# Attachment A Revised Customs Tariff Working Pages

| 2

Item Treat- ment Code

Refer- ence Number

Statistical Code/Unit of Quantity

Description of Goods Rate of duty #

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  |  |  | **Goods for international bodies or persons or goods relating to offshore areas** |  |
| **9** | .. | 9999.30.09 | *03 ..* | **Item 9 – Goods for international organisations Goods, as prescribed by by-law, that:**   1. **for the official use of an international organisation established by agreement between the Government of Australia and the government of another country or other countries; or** 2. **for the official or personal use of an official of such an international organisation** | **Free** |
| **10** | .. | 9999.30.10 | *04 ..* | **Item 10 – Goods of foreign governments Goods, as prescribed by by-law, that:**   1. **at the time they are entered for home consumption, are owned by the government of a foreign country and are for the official use of that government; and** 2. **are not to be used for the purposes of trade** | **Free** |
| **11** | .. | 9999.30.11 | *05 ..* | **Item 11 – Goods for foreign forces**  **Goods, as prescribed by by-law, that are for use by, or for sale to, persons the subject of a Status of Forces Agreement between the Government of Australia and the government of another country or other countries** | **Free** |
| **12** | .. | 9999.30.12 | *06 ..* | **Item 12 – Trade Commissioner goods**  **Goods, as prescribed by by-law, that, at the time they are entered for home consumption, are for the official use of a Trade Commissioner of any country** | **Free** |

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|  | **13** | 713 | **\*** | **Item 13 – Goods subject to the Torres Strait Treaty**  **Goods, as prescribed by by-law, in relation to which the customs procedures of the Commonwealth are to be applied in the manner mentioned in Article 16 of the Treaty between Australia and the Independent State of Papua New Guinea concerning Sovereignty and Maritime Boundaries in the area between the two Countries, including the area known as Torres Strait, and Related Matters, done at Sydney on**  **18 December 1978 †** | **Free** |
|  | **14** | 714 | **\*** | **Item 14 – Goods for use in a petroleum activity in the Timor Sea**  **Goods, as prescribed by by-law, that are for use in an activity that is one of the Petroleum Activities within the meaning of the Timor Sea Maritime Boundaries Treaty and takes place in:**   1. **the Greater Sunrise special regime area within the meaning of the Seas and Submerged Lands Act 1973; or** 2. **the Greater Sunrise pipeline international offshore area within the meaning of the Offshore Petroleum and Greenhouse Gas Storage Act 2006; or** 3. **the area in or above the Bayu-Undan Gas Field within the meaning of the Timor Sea Maritime Boundaries Treaty; or** 4. **the Bayu-Undan pipeline international offshore area within the meaning of the Offshore Petroleum and Greenhouse Gas Storage Act 2006; or** 5. **the area in or above the Kitan Oil Field within the meaning of the Timor Sea Maritime Boundaries Treaty** | **Free** |
|  |  |  |  | † For item 13, the text of the Treaty is set out in Australian Treaty Series 1985 No. 4 ([1985] ATS 4). In 2012, the text of a Treaty in the Australian Treaty Series was accessible through the Australian Treaties  Library on the AustLII website (www.austlii.edu.au). |  |

Item Treat- ment

Refer- ence

Statistical

Code/Unit

Description of Goods Rate #

Code Number of Quantity

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|  |  |  |  | **Item 40 – Aluminised steel for use in the manufacture of muffler exhaust systems**  **Aluminised steel classified under subheading 7210.61.00, 7210.69.00 or 7212.50.00 of Schedule 3**  **and for use in the manufacture of automotive muffler exhaust systems or components** | **Free** |
|  | **40** | 740 | **\*** |  |
|  | **41** | 741 | **\*** | **Item 41 – Goods for use in space projects**  **Goods, as prescribed by by-law, that are for use in a space project authorised by the Minister administering the *Space Activities (Launches and Returns) Act 2018*** | **Free** |
|  |  |  |  | **Goods that are robots or prototypes** |  |
|  | **42** | 742 | **\*** | **Item 42 – Robots**  **Robots, as prescribed by by-law, or parts or accessories that are suitable for use solely or principally with such robots** | **Free** |
|  | **43** | 743 | **\*** | **Item 43 – Goods for use as prototypes**  **Goods, as prescribed by by-law, that are for use as prototypes** | **Free** |

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|  |  |  | **Goods relating to manufacturing** |  |
|  | **44** |  | **Item 44 – Capital equipment for major projects – Enhanced Project By-law Scheme**  **Goods, including machinery, equipment, or their components, as prescribed by by-law, that are entered for home consumption on or before**  **31 December 2017 and are for use in any of the following industries:**   1. **mining;** 2. **resource processing;** 3. **agriculture;** 4. **food processing;** 5. **food packaging;** 6. **manufacturing (within the meaning of the *Australian and New Zealand Standard Industrial Classification (ANZSIC)*);** 7. **gas supply;** 8. **power supply;** 9. **water supply** | **Free** |
|  | 471 | **\*** | Treatment Code 471 applies to goods specified in a Ministerial Determination that has validity  commencing prior to 1 March 2013 † |  |
|  | 744 | **\*** | Treatment Code 744 applies to goods specified in a Ministerial Determination that has validity  commencing on or after 1 March 2013 † |  |
|  |  |  | † The Ministerial Determination must be quoted on Import Declarations. |  |
|  |  |  | For further information on previous item 44 and its  Treatment Code 444, refer to Schedule 4 page 4/23. |  |

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| **Item By-law Description of Goods No.** | **Start date/ End date** |
| **Item 14 – Goods for use in a petroleum activity in the Timor Sea**  Goods for use in a petroleum activity in the Timor Sea   * **14 1900564** 1. This by-law may be cited as Customs By-law No. 1900564.   1. For the purposes of item 14 of Schedule 4 to the Customs Tariff Act 1995, subject to paragraph 3, goods for use in an activity that is one of the Petroleum Activities within the meaning of the Timor Sea Maritime Boundaries Treaty and takes place in an area mentioned in item 14 are prescribed.   2. Paragraph 2 does not include goods that are for personal or domestic use, including food, beverages (including alcoholic beverages), tobacco, toiletries and clothing (other than protective safety clothing for use in a Petroleum Activity). | **30/8/2019** |

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| **Item By-law Description of Goods No.** | **Start date/ End date** |
| **Goods that are personal effects**  **15 1300938 Item 15 – Personal effects for passengers and ship or aircraft crew**  Goods imported by a member of the forces of Canada or the United Kingdom   1. This by-law may be cited as Customs By-law No. 1300938. 2. This by-law takes effect on and from 1 March 2013. 3. For the purposes of paragraph (d) of item 15 of Schedule 4 to the *Customs Tariff Act 1995*, goods imported by a member of the forces of Canada or the United Kingdom being goods, as follows, are prescribed:    1. a motor vehicle owned and used outside Australia by the member of those forces during the period of six months immediately preceding his or her first departure for Australia, provided that the motor vehicle remains in the use, ownership and possession of that member of those forces or, with the permission of the Collector, of another member of those forces during the period of two years immediately after the date of its importation;    2. a motor vehicle for the personal use of the member of those forces, not being a motor vehicle of a kind described in the preceding paragraph, which is intended to be exported, provided that the vehicle is exported within three years after the date of its importation or within such extended period as may be approved by the Collector.   With the permission of the Collector, a motor vehicle imported under this sub-paragraph may be transferred to another member of those forces provided that it is exported by the latter member of those forces within three years after the date of its importation or within such extended period as may be approved by the Collector.   1. For the purposes of this by-law, “member of the Forces of Canada or the United Kingdom” means a person belonging to the land, sea or air armed services of those countries temporarily serving in Australia under arrangements agreed on by the Government of Australia and the Governments of Canada and the United Kingdom. 2. For the purposes of this by-law, the “*Customs Tariff Act 1995*” means the   *Customs Tariff Act 1995*, as amended or proposed to be altered. | **1/3/2013** |