Australian Customs Notice 1998 09

**NEW IMPORTS AND EXPORT CONTROLS ON OZONE DEPLETING SUBSTANCES (ODS)**

Recent amendments to the Customs (Prohibited Imports) Regulations and Customs (Prohibited Exports) Regulations (by Statutory Rules 1997 No. 385) prohibit the importation or exportation of ozone depleting substances controlled under the Ozone Protection Act 1989. Regulation 5K of the Customs (Prohibited Imports) Regulations prohibits the importation of substances listed in Schedule 10 to the regulation and Regulation 13F of the Customs (Prohibited Exports) Regulations prohibits the exportation of substances listed in Schedule 15 of that regulation.

The new regulations make those substances listed in the schedules prohibited imports or prohibited exports under the Customs Act 1901, unless the substances are covered by a licence to import or export which has been granted by the Minister for the Environment under section 16 of the Ozone Protection Act and the licence is produced to a Collector.

Clearance for import or export of these substances will not be granted unless a valid licence number is provided. It is an offence under the Customs Act to quote an incorrect licence number or an incorrect tariff or AHECC code.

The intention of the new regulations is to fulfil the government's obligations under the Montreal Protocol on Substances that Deplete the Ozone Layer.

The regulations however exempt products listed in the Customs Tariff Act 1995 under heading 3004 and in Chapters 39 and 84, as generally these products are manufactured goods which use ODS as part of their everyday operation. Examples of exempt goods are asthma spray dispensers, polystyrene packaging and insulation, refrigerators and air-conditioning equipment.

Whilst these products may not be covered by the new regulations they are covered by the Ozone Protection Act, which prohibits their importation and exportation. It is therefore suggested that importers or exporters of these products seek the advice of the Environment Protection Group within Department of the Environment in Canberra prior to importing or exporting these goods.

Any enquiries concerning the Ozone Protection Act controls should be directed to Kathryn Collins (02) 6274 1457 or Carey Robinson (02) 6274 1631 of the Environment Protection Group.

Any enquiries concerning either the Customs policy or the customs control procedures relating to the new regulations should be directed to the appropriate Customs section listed in the attachment to this notice.

(R.J. Mitchell) National Manager Cargo Facilitation for

Chief Executive Officer January 1998

**ATTACHMENT TO ACN 98/09**

**Canberra Import Policy**

**Tel: 02 6275 6571**

**Fax: 02 6275 6997**

**Canberra Export Policy**

**Tel: 02 9317 7020**

**Fax: 02 9317 7156**

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| **New South Wales** | **New South Wales** |
| **Import Procedures** | **Export Procedures** |
| **Tel: 02 9317 7045** | **Tel: 02 9213 2433** |
| **Fax: 02 9317 7156** |  |
| **Victoria** | **Victoria** |
| **Import Procedures** | **Export Procedures** |
| **Tel: 03 9244 8430** | **Tel: 03 9244 8483** |
| **Fax: 03 9244 8440** | **Fax: 03 9244 8500** |
| **Queensland** | **Queensland** |
| **Import Procedures** | **Export Procedures** |
| **Tel: 07 3835 3291** | **Tel: 07 3835 3320** |
| **Fax: 07 3835 3337** | **Fax: 07 3835 3337** |
| **Western Australia** | **Western Australia** |
| **Import Procedures** | **Export Procedures** |
| **Tel: 08 9430 1405** | **Tel: 08 9430 1469** |
| **Fax: 08 9430 1751** | **Fax: 08 9430 1751** |
| **South Australia** | **South Australia** |
| **Import Procedures** | **Export Procedures** |
| **Tel: 08 8847 9378** | **Tel: 08 8847 9403** |
| **Fax: 08 8847 9349** | **Fax: 08 8847 9443** |
| **Northern Territory** | **Northern Territory** |
| **Import Procedures** | **Export Procedures** |
| **Tel: 08 8946 9851** | **Tel: 08 8946 9851** |
| **Fax: 08 8946 9953** | **Fax: 08 8946 9953** |
| **Tasmania** | **Tasmania** |
| **Import Procedures** | **Export Procedures** |
| **Tel: 03 6230 1201** | **Tel: 03 6230 1201** |
| **Fax: 03 6230 1262** | **Fax: 03 6230 1262** |