AUSTRALIAN CUSTOMS NOTICE NO. 2005/73

Item 50A – Demands for the recovery of short levied duty/GST

The purpose of this ACN is to advise that in response to a number of representations and following the receipt of further advice, Customs has reviewed its position on letters of demand issued in relation to changes to Item 50A of Schedule 4 of the *Customs Tariff Act 1995*. As a consequence, Customs has decided to cease undertaking recovery action in relation to this matter.

Item 50A provided for the concessional entry, at a free rate of Customs duty, of certain goods identified as consumption goods.

As advised in ACN 2005/49, Item 50A referred to certain United Nations Statistical Papers, which defined the tariff classifications that were considered to be consumption goods. These United Nations Statistical Papers were amended in early 2003, however, the resulting changes to the list of consumption goods were not made to the administrative table attached to Item 50A in the working tariff.

Customs will be writing to all affected importers who have been issued with a letter of demand in relation to this matter. For those importers who have not paid their letter of demand, no further action will be required.

For those affected importers who have paid all, or part, of the short levied duty and GST, Customs will return any monies paid and will be seeking a signed deed of release and indemnity.

Refunds will continue to be paid in accordance with requirements set out in ACN 2005/49.

Inquiries concerning this notice may be directed to Director – Tariff Policy on telephone number (02) 6275 6095 or fax number (02) 6275 6471.

Sue Pitman National Manager Trade Branch CANBERRA ACT

15 December 2005

