

AUSTRALIAN CUSTOMS AND BORDER PROTECTION NOTICE NO. 2012/24

Australia - New Zealand Closer Economic Relations Trade Agreement – Rules of Origin – Upcoming Changes

On 6 March 2012, the *Customs Amendment (New Zealand Rules of Origin) Act 2012* (the Amendment Act) received Royal Assent, which implements domestically the agreed changes to Article 3 of the Australia – New Zealand Closer Economic Relations Trade Agreement (ANZCERTA). Article 3 sets out the rules of origin requirements which determine the eligibility of goods for preferential tariff treatment under ANZCERTA.

The current rules of origin provisions in ANZCERTA entered into force on 1 January 2007. In negotiating these rules, both countries agreed to include in ANZCERTA a provision requiring the review of the rules of origin within three years of the new rules taking effect. Australia and New Zealand commenced the review in late 2008. The review was completed in March 2010 resulting in an agreement to amend Article 3 of ANZCERTA and the related Product Specific Rules in Annex G. The Annex G amendments took effect on 1 September 2011. Please refer to Australian Customs and Border Protection Notice No. 2011/33 for further details.

Specifically, the Amendment Act contains amendments to Division 1E of Part VIII of the

*Customs Act 1901* (the Customs Act) to implement the changes to Article 3, including:

1. a new definition of ‘aquaculture’;
2. amended definition of ‘manufacture’;
3. amended definition of ‘produce’;
4. amended provisions dealing with ‘wholly obtained goods’;
5. amended provisions dealing with eligibility based on the last process of manufacture;
6. a new section to provide that goods are not New Zealand originating goods merely because of certain operations; and
7. consequential amendments to the verification powers in Division 4D of Part VI of the Customs Act.

Full details of the Amendment Act are available on the ComLaw website, at: [http://www.comlaw.gov.au/Details/C2012A00001.](http://www.comlaw.gov.au/Details/C2012A00001)

The new changes will take effect on the date when the governments of Australia and New Zealand notify each other by an exchange of notes that they have completed their

respective domestic processes to bring the amendments into force. A further notice will be issued when the effective date for the Article 3 changes is known.

Inquiries concerning this notice may be directed to [origin@customs.gov.au,](mailto:origin@customs.gov.au) or to the Valuation and Origin Section on telephone number (02) 6275 6556.

(signed)

Geoffrey Johannes National Manager Trade Policy Branch CANBERRA ACT

23 April 2012