

Australian Customs Notice No. 2019/37

# Amendments to Schedule 4 of the

*Customs Tariff Act 1995* Item 1 by-law and Clarification of Origin Preference Codes for the Comprehensive and Progressive Agreement for Trans-Pacific Partnership

## Schedule 4 Item 1 – Revocation and replacement of by-law 1800146

Item 1 of Schedule 4 of the *Customs Tariff Act* 1995 provides a “free” rate of duty for goods prescribed by by-law that are:

* Scientific instruments or apparatus to which Annex D of the Educational, Scientific and Cultural Materials Agreement (Florence 1950) or Annex D to the Educational, Scientific and Cultural Materials Protocol (Nairobi 1976) applies; or
* Of a scientific nature and covered by an agreement or arrangement between the Government of Australia and the government of another country or other countries on cooperation in the field of science and technology.

Prescribed by-law 1800146 will be revoked and reissued as by-law 1919366 (Attachment A). By-law 1919366 updates Paragraph 2, Table A, with the inclusion of the Children’s Cancer Institute to the list of organisations authorised to use the by-law.

In addition, the titles of the Ministers able to approve use of the by-law by scientific or educational institutions not previously covered in the by-law have been updated to reflect changes to these titles since the last update of this by-law.

## Clarification of Origin Preference Codes for the Comprehensive and Progressive Agreement for Trans-Pacific Partnership

From 13 November 2019, Importers will be able to use the Preference Rule PE (Produced Entirely) when entering suitable goods eligible for a preference under the Comprehensive and Progressive Agreement for the Trans-Pacific Partnership (CPTPP), into the Integrated Cargo System (ICS). The existing and equivalent Preference Rule WP (Wholly Produced) will be retained in ICS for a period of 6 months ending on 13 May 2020.

Replacing WP with PE in ICS resolves the discrepancy between the CPTPP information provided on the Department of Foreign Affairs and Trade (DFAT) website and information provided on the Australian Border Force website.

***Australia’s customs service***

The ICS preference scheme for CPTPP, the applicable Preference Rules and relevant country codes are outlined in the table below. This table supersedes the table provided in ACN 2018/37.

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Preference Scheme Code** | | **TPP** | | | |  | | |
| **Preference Rule** | | | | | | | | |
| PSR | | WO | | WP\* | | | PE\*\* | |
| Product Specific Rule of Origin | | Wholly obtained goods | | Goods produced entirely from originating materials  only | | | Goods produced entirely from originating materials  only | |
| **Preference Origin Countries** | | | | | | | | |
| Canada  (CA) | Japan  (JP) | | Mexico  (MX) | New Zealand (NZ) | Singapore  (SG) | | | Vietnam  (VN) |

* Ends 13 May 2020

\*\* From 13 November 2019

Enquiries in relation to this Notice should be directed to [tradepolicy1@abf.gov.au.](mailto:tradepolicy1@abf.gov.au)

[Signed] Joshua Hutton

Acting Assistant Secretary

Customs and Border Revenue Branch 8 November 2019

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# Attachment A (Customs tariff Working Pages)

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**R.3**

**SCHEDULE OF CONCESSIONAL INSTRUMENTS PART II**

**INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4**

## CUSTOMS TARIFF ACT 1995

**Part 2/1**

|  |  |
| --- | --- |
| **Item By-law Description of Goods No.** | **Start date/ End date** |
| **Goods of a scientific, educational or cultural kind**  **Item 1 – Scientific goods, instruments and apparatus**   * **1 1919366** Organisations eligible to import scientific instruments and apparatus   1. This by-law may be cited as Customs By-law No. 1919366.   2. For the purposes of paragraph (a) of item 1 of Schedule 4 to the *Customs Tariff Act 1995* (the Customs Tariff Act), scientific instruments or apparatus consigned to organisations listed in Table A are prescribed:   Table A  The Australian Antarctic Division of the Department of Environment and Energy  Association of Universities for Research in Astronomy Inc (AURA) Austin Medical Research Foundation  Australian Institute of Marine Science  The Australian Nuclear Science Technology Organisation  The Australian Radiation Protection and Nuclear Safety Agency Baker Heart and Diabetes Institute  The Centre for Australian Weather and Climate Research The Centenary Institute  Children’s Cancer Institute  Children’s Medical Research Institute  The Commonwealth Scientific and Industrial Research Organisation The Defence Science and Technology Organisation  The Garvan Institute of Medical Research Geoscience Australia  The Heart Research Institute  The Florey Institute of Neuroscience and Mental Health Ludwig Institute for Cancer Research  Burnet Institute  The Menzies School of Health Research The National Measurement Institute  The Hudson Institute of Medical Research Queensland Institute of Medical Research Sir Albert Sakzewski Virus Research Centre  St Vincent's Institute of Medical Research, Melbourne South Australian Health and Medical Research Institute The Victor Chang Cardiac Research Institute  Walter and Eliza Hall Institute of Medical Research.  (Continued) | **13/11/2019** |

* + **Operative13/11/19**

**Part 2/2**

## SCHEDULE OF CONCESSIONAL INSTRUMENTS PART II

**INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4**

## CUSTOMS TARIFF ACT 1995

|  |  |
| --- | --- |
| **Item By-law Description of Goods No.** | **Start date/ End date** |
| * **1 1800146** 3. For the purposes of paragraph (a) of item 1 of Schedule 4 to the *Customs*   (Cont) *Tariff Act 1995*, scientific instruments or apparatus consigned to the following are prescribed:   * 1. higher education providers within the meaning of the *Higher Education Support Act 2003*;   2. all registered training organisations as listed on the National Register under the *National Vocational Education and Training Regulator Act 2011*;   3. schools directly or indirectly funded under the *Australian Education Act 2013*; or   4. similar scientific, medical research or education institutions or organisations approved by the Minister for Industry, Science and Technology and, where applicable, the Minister for Health (for medical research related institutions or organisations) or the Minister for Education (for education institutions or organisations).  1. For the purposes of paragraph (a) of item 1 of Schedule 4 to the Customs Tariff Act, spare parts, components or accessories specially designed for use with the scientific instruments or apparatus prescribed in paragraphs 2 and 3 above are prescribed. 2. For the purposes of paragraph (a) of item 1 of Schedule 4 to the Customs Tariff Act, tools specially designed for the maintenance, checking, gauging or repair of scientific instruments or apparatus prescribed in paragraphs 2 and 3 above are prescribed. 3. In this by-law, the “Customs Tariff Act 1995” means the Customs Tariff Act 1995, as amended or proposed to be altered. |  |

* **Operative 13/11/19**