

ANNEX 2A
TARIFF COMMITMENTS

SECTION 2A

NOTES FOR SPECIFIC TARIFF SCHEDULE OF INDIA

1. Unless otherwise provided for in this Section, for the purposes of the elimination or reduction of customs duties in accordance with this Section, in the case of *ad valorem* duties, any fraction less than 0.1 of a percentage point shall be rounded to the nearest one decimal place (in the case of 0.05 per cent, the fraction is rounded to 0.1 per cent), and in the case of specific duties any fraction smaller than 0.01 of one Indian Rupee shall be rounded to the nearest two decimal places (in the case of 0.005, the fraction is rounded to 0.01).
2. The base rate of customs duty (Basic Customs duty + Agriculture Infrastructure and Development Cess) and staging category for an item are indicated in the Schedule of Specific Tariff Commitments of India on Trade in Goods.
3. Unless otherwise provided in this Section, for the purposes of this Section, the term “year” means, with respect to the first year, the period from the date of entry into force of this Agreement until 31 December of the same year and, with respect to each subsequent year, the twelve-month period which starts on 1 January of that year.
4. For the purposes of implementing equal annual instalments, the annual instalments shall take place on the first day of each year (for the avoidance of doubt, for the first year, the annual instalment will take place on the date of entry into force of this Agreement).
5. The following explanation of various column headings of the Schedule of Specific Tariff Commitments of India on Trade in Goods shall apply:
 - (a) The Column heading “Number of years in which customs duty will be eliminated /reduced” indicates the number of years in which customs duties on originating goods classified under the tariff lines will be reduced or eliminated under equal annual instalments. It also mentions “TRQ” where Tariff Rate Quota has been offered.
 - (b) Customs duties on originating goods classified under the tariff lines indicated with “EIF” shall be eliminated, as from the date of entry into force of this Agreement.
 - (c) Customs duties on originating goods of HS2204 shall be reduced as set out in the Wine Appendix of the Schedule of Specific Tariff Commitments of India on Trade in Goods.

- (d) The originating goods classified under the tariff lines indicated with “EL” shall be excluded from any commitment of reduction or elimination of customs duties.
- (e) The Column heading “Duty Elimination (E), Reduction (R), TRQ (T), Other condition (C), Exclusion List (EL)” mentions the treatment for each tariff line.
- (f) The Column heading “Condition for liberalisation - Duty reduction, other conditions” mentions specific conditions, if any attached to the offer.

TARIFF RATE QUOTAS OF INDIA

General Provisions

1. The tariff concessions for Tariff Rate Quotas (TRQs) are provided only up to the volume as specified in Schedule of Specific Tariff Commitments of India on Trade in Goods.
2. Where this Agreement enters into force during a year, the TRQ quantities shall be pro-rated and calculated as a proportion of the annual TRQ quantity equal to the number of days remaining in the year. 3. The quantity of imports into India will be monitored by the competent authority of India as designated in the Agreement.
4. If a matter arises concerning the application or administration of TRQs, a Party may make a written request to the other Party to provide information relating to the application or administration of TRQs
5. A Party receiving a written request under paragraph 4 shall, to the extent permitted by its laws and regulations, respond to the request as soon as practicable provided that such a request is reasonable and proportionate to the matter.
6. Procedure for Monitoring TRQs:
 - (a) Australia shall allocate TRQs to exporters or producers by issuing TRQ certificates up to the relevant quantity for each TRQ.
 - (b) Till such time that the online exchange of Certificate of Origins is agreed and implemented, the competent authority for TRQ Certificates in Australia shall share each TRQ Certificate through email to the competent authority of India.
 - (c) The importer in India will file a request letter along with the reference to the TRQ Certificate issued to the Competent authority of India, who, in turn, shall issue a No Objection Certificate (NOC) to the Indian Importer concerned, against each such TRQ Certificate received.

Information on NOC issued will also be made available in the Public domain i.e., in the DGFT website (dgft.gov.in).

- (d) The Competent authority of India shall monitor the cumulative quantities for NOCs so issued. No further NOC shall be issued once the annual TRQ quantity limit is reached.