



Department of Home Affairs Notice No. 2018/01

Changes to by-laws under Item 15, and working pages for Items 10, 11 and 15 of Schedule 4 of the *Customs Tariff Act 1995*

Purpose

To advise arriving persons of changes to by-laws No.1700571 and No.1700581.

By-laws No.1700571 and No.1700581 are made under section 271 of the *Customs Act 1901*. The changes to these by-laws, which are effective on and from Thursday 1 February 2018, have been prompted by amendments made to the *Marriage Act 1961* by the *Marriage Amendment (Definition and Religious Freedoms) Act 2017* (the Act).

The Act removes restrictions that limit marriage in Australia to the union of a man and woman and allows two people the freedom to marry in Australia, regardless of their sex or gender. The Act also recognises foreign same-sex marriages in Australia.

New By-law No.1700571 revokes and replaces previous By-law No.1700053 and new By-law No.1700581 revokes and replaces previous By-law No.1300942. Both by-laws were made for the purposes of Item 15 of Schedule 4 to the *Customs Tariff Act 1995* (the Customs Tariff Act) that allows passengers and members of crew of ships or aircraft to import goods prescribed by each by-law at a dutiable rate of 'Free'. Amended working pages that relate to By-laws No.1700571 and No.1700581 are attached to this Notice.

In addition, amended working pages relating to By-laws No.1700126 and No.1700334 (changes to import processing charges for importation of goods under status of forces agreements — see DIBPN No.2017/42 are also attached to this Notice.

The Online Tariff has been amended to reflect these changes.

Changes to the definition of 'Family'

By-law No.1700571 and by-law No.1700581 define 'Family' as:

- (a) 2 people who are married, and any of their children; or
- (b) a person and his or her de facto partner (within the meaning of the *Acts Interpretation Act 1901*), and any of their children.

Replacement of the phrase "permanent resident" with "arriving resident"

New by-law No.1700581 also replaces the expression "permanent resident" with the expression "arriving resident" to avoid inconsistency with Australian migration legislation. "Arriving resident" means a person who arrives in Australia and intends immediately to take up or resume residence in Australia; and

- (a) is an Australian citizen for the purposes of the *Australian Citizenship Act 2007* (as amended from time to time); or
- (b) holds a permanent visa within the meaning of the *Migration Act 1958* (as amended from time to time); or
- (c) holds a special category visa within the meaning of the *Migration Act 1958* (as amended from time to time).

Further information

Inquiries about this notice should be directed to Trade Policy, TradePolicy1@homeaffairs.gov.au.

[Signed]
David Coyles
A/g Assistant Secretary
Trade and Customs
Branch Canberra, ACT

29 January 2018

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.1			Part 2/1
Item	By-law No.	Description of Goods	Start date/ End date
<u>Goods of a scientific, educational or cultural kind</u>			
<u>Item 1 – Scientific goods, instruments and apparatus</u>			
★ 1	1339704	<p><u>Organisations eligible to import scientific instruments and apparatus</u></p> <ol style="list-style-type: none"> This by-law may be cited as Customs By-law No. 1339704. This by-law shall take effect on and from 10 December 2013. For the purposes of paragraph (a) of item 1 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, scientific instruments or apparatus consigned to organisations listed in Table A are prescribed: <p>Table A</p> <p>The Australian Antarctic Division of the Department of Sustainability, Environment, Water, Population and Communities Association of Universities for Research in Astronomy Inc (AURA) Austin Medical Research Foundation The Australian Astronomical Observatory Australian Institute of Marine Science The Australian Nuclear Science Technology Organisation The Australian Radiation Protection and Nuclear Safety Agency Baker IDI The Centre for Australian Weather and Climate Research The Centenary 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 Florey Neuroscience Institutes Ludwig Institute for Cancer Research Burnet Institute Mental Health Research Institute The Menzies School of Health Research The National Measurement Institute Prince Henry's Institute 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.</p>	10/12/2013

(Continued)

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/2

Item	By-law No.	Description of Goods	Start date/ End date
★ 1	1339704 (Cont)	<p>4. For the purposes of paragraph (a) of item 1 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, scientific instruments or apparatus consigned to the following are prescribed:</p> <p>(a) higher education providers within the meaning of the <i>Higher Education Support Act 2003</i>;</p> <p>(b) all registered training organisations as listed on the National Register under the <i>National Vocational Education and Training Regulator Act 2011</i>;</p> <p>(c) schools directly or indirectly funded under the <i>States Grants (Schools Assistance) Act 1984</i>; or</p> <p>(d) similar scientific or education institutions, approved by the Minister for Industry, Innovation, Science, Research and Tertiary Education or by the Minister for School Education.</p> <p>5. For the purposes of paragraph (a) of item 1 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, spare parts, components or accessories specially designed for use with the scientific instruments or apparatus prescribed in paragraphs 3 and 4 above are prescribed.</p> <p>6. For the purposes of paragraph (a) of item 1 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, tools specially designed for the maintenance, checking, gauging or repair of scientific instruments or apparatus prescribed in paragraphs 3 and 4 above are prescribed.</p> <p>7. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p>	

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/3

Item	By-law No.	Description of Goods	Start date/ End date
<u>Scientific equipment under an inter-governmental agreement</u>			
1	1301139	<ol style="list-style-type: none"> This by-law may be cited as Customs By-law No. 1301139. This by-law shall take effect on and from 1 March 2013. For the purposes of paragraph (b) of item 1 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods of a scientific nature that are covered by an agreement or arrangement to cooperate in the field of science and technology between the Government of Australia and the government of another country or other countries are prescribed. Item 1 applies to the goods in paragraph 3 if either one of the following conditions is satisfied: <ol style="list-style-type: none"> the Collector approves in writing the kinds and quantities of goods to be imported, and the uses to which the goods are to be put; or the agreement or arrangement provides that the imported goods are to be allowed entry into Australia free of Customs duty. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/3/2013
<u>Item 3 – Books, visual and auditory goods</u>			
<u>Microforms, models, wall charts and film</u>			
3	1300557	<ol style="list-style-type: none"> This by-law may be cited as Customs By-law No. 1300557. This by-law shall take effect on and from 1 March 2013. For the purposes of paragraphs (a) and (b) of item 3 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, the following goods are prescribed: <ol style="list-style-type: none"> microforms; patterns, models and wall charts for use exclusively for demonstrational purposes; film. For the purposes of this by-law, “microforms” is taken to mean an arrangement of images that are substantially reduced in size from the original form. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/3/2013

Operative 1/3/13

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/4

Item	By-law No.	Description of Goods	Start date/ End date
<p><u>Item 4 – Calendars and catalogues</u></p> <p><u>Overseas travel literature and ATA carnets</u></p>			1/3/2013
4	1300595	<p>1. This by-law may be cited as Customs By-law No. 1300595.</p> <p>2. This by-law shall take effect on and from 1 March 2013.</p> <p>3. For the purposes of item 4 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, the following goods are prescribed:</p> <p>(a) documents that are for free distribution and that do not contain more than 25% private commercial advertising, as follows:</p> <p>(i) lists or year books of foreign hotels, published or sponsored by official tourist agencies;</p> <p>(ii) timetables of transport services operating abroad;</p> <p>(b) overseas travel literature and printed matter designed for general publicity purposes, the chief purpose of which is to encourage the public to visit a foreign country, and in which any reference to Australia or Australian persons is incidental, as follows:</p> <p>(i) issued by overseas travel principals or their agents;</p> <p>(ii) for free distribution and containing not more than 25% private commercial advertising;</p> <p>(c) technical materials sent to accredited representatives or correspondents appointed by national official tourist agencies, not intended for distribution, as follows:</p> <p>(i) catalogues of fairs;</p> <p>(ii) documentation about museums, universities, spas or similar institutions;</p> <p>(iii) lists of hotels;</p> <p>(iv) telephone directories;</p> <p>(v) year books;</p> <p>(d) blank Admission Temporaire/Temporary Admission (ATA) carnets, prepared in accordance with the Customs Convention on ATA carnets;</p> <p>(e) paper catalogues or paper price lists relating exclusively to goods and/or services of a country other than Australia, designed for international distribution and not directed specifically at Australian consumption.</p> <p style="text-align: right;">(Continued)</p>	

Operative 1/3/13

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/5

Item	By-law No.	Description of Goods	Start date/ End date
4	1300595 (Cont.)	<p>4. For the purposes of paragraph 3(e) “catalogues” include individual leaflets, each advertising a single article, which have been permanently fastened together (including fastening by means of hinged binders or staples) in such a manner as to give them the appearance of a catalogue.</p> <p>5. For the purposes of paragraph 3(e) “catalogues” and “price lists” include publications containing a reference to the name of an Australian agent of the overseas person in whose interest the publication is issued but not a reference to both the names of an Australian agent and an Australian retailer.</p> <p>6. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p> <p><u>Goods imported in accordance with the Customs Convention concerning Facilities for Display or Use at Exhibitions, Fairs, Meetings or Similar Events</u></p>	
4	1300601	<p>1. This by-law may be cited as Customs By-law No. 1300601.</p> <p>2. This by-law shall take effect on and from 1 March 2013.</p> <p>3. For the purposes of item 4 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods of a kind and in quantities approved by the Collector, imported for an event approved by the Collector in accordance with:</p> <p>(a) Article 1 of the Customs Convention concerning Facilities for the Importation of Goods for Display or Use at Exhibitions, Fairs, Meetings or Similar Events; or</p> <p>(b) Annex B.1 of the Convention on Temporary Admission (known as the Istanbul Convention),</p> <p>are prescribed.</p> <p>4. For the purposes of item 4, the goods in paragraph 3 are subject to the following conditions:</p> <p>(a) Article 7 or subparagraph 1(d) of Article 6 of the Customs Convention concerning Facilities for the Importation of Goods for Display or Use at Exhibitions, Fairs, Meetings or Similar Events specified in paragraph 3(a); or</p> <p>(b) subparagraph 1(d) or 1(e) of Article 5 to Annex B.1 of the Convention on Temporary Admission specified in paragraph 3(b).</p> <p>5. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p>	1/3/2013

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SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/6

Item	By-law No.	Description of Goods	Start date/ End date
<u>Item 8 – Theatrical and traditional costumes</u>			
<u>Theatrical costumes and props</u>			
8	1243719	<p>1. This by-law may be cited as Customs By-law No. 1243719.</p> <p>2. This by-law shall take effect on and from 1 March 2013.</p> <p>3. For the purposes of paragraph (a) of item 8 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, the following goods are prescribed:</p> <p>(a) theatrical costumes;</p> <p>(b) props made of metal.</p> <p>4. The application of paragraph (a) of item 8 to the goods in paragraph 3 is subject to the following conditions:</p> <p>(a) the Collector must be satisfied that they are for use in theatrical representations; and</p> <p>(b) the goods must be exported from Australia within six months of their importation or such further period as the Collector may in writing allow; and</p> <p>(c) evidence of the exportation of the goods must be provided to and to the satisfaction of the Collector.</p> <p>5. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p>	1/3/2013

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SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/7

Item	By-law No.	Description of Goods	Start date/ End date
8	1243816	<p><u>Traditional costumes</u></p> <p>1. This by-law may be cited as Customs By-law No. 1243816.</p> <p>2. This by-law shall take effect on and from 1 March 2013.</p> <p>3. For the purposes of paragraph (b) of item 8 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, traditional costumes that are:</p> <ul style="list-style-type: none"> (a) authentic in design; and (b) made from traditional materials in the country of the tradition's origin; and (c) imported by groups established for the purpose of performing in those traditional costumes, <p>are prescribed.</p> <p>4. For the purposes of this by-law, the "<i>Customs Tariff Act 1995</i>" means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p> <p><u>Goods for international bodies or persons or goods relating to offshore areas</u></p> <p><u>Item 9 – Goods of international organisations</u></p> <p><u>Goods for international organisations</u></p>	1/3/2013
		<p>1. This by-law may be cited as Customs By-law No. 1300603.</p> <p>2. This by-law shall take effect on and from 1 March 2013.</p> <p>3. For the purposes of paragraph (a) of item 9 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, the following goods are prescribed:</p> <ul style="list-style-type: none"> (a) goods, that at the time they are entered for home consumption, are owned by an organisation listed in Table 1; and (b) are for the official use of that organisation. <p>Table 1 Australian-American Educational Foundation Commission for the Conservation of Southern Bluefin Tuna European Space Agency</p> <p style="text-align: right;">(Continued)</p>	

Operative 1/3/13

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/8

Item	By-law No.	Description of Goods	Start date/ End date
9	1300603 (Cont.)	<p>4. For the purposes of paragraph (b) of item 9 of Schedule 4 to the <i>Customs Tariff Act 1995</i> the following goods are prescribed:</p> <ul style="list-style-type: none"> (a) furniture, personal and household effects that at the time they are entered for home consumption, are owned by an official of an organisation specified in Table 2; and (b) are for the official or personal use of the official; and (c) are imported at the time of the official's first arrival. <p>Table 2 Commission for the Conservation of Southern Bluefin Tuna European Space Agency</p> <p>5. Paragraph 3 does not apply to goods which would be subject to excise duty, if produced or manufactured in Australia.</p> <p>6. Paragraph 4 does not apply to the following:</p> <ul style="list-style-type: none"> (a) motor vehicles; and (b) goods which would be subject to excise duty, if produced or manufactured in Australia. <p>7. For the purposes of paragraph 4(c), "at the time of the official's first arrival" means any time from 6 months before to 6 months after the date of first arrival of the official, or such other period as the Collector may allow.</p> <p>8. For the purposes of this by-law, the "<i>Customs Tariff Act 1995</i>" means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p>	

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.1			Part 2/9
Item	By-law No.	Description of Goods	Start date/ End date
<u>Item 10 – Goods of foreign governments</u>			
<u>Goods subject to an agreement or arrangement</u>			
10	1243557	<ol style="list-style-type: none"> 1. This by-law may be cited as Customs By-law No. 1243557. 2. This by-law shall take effect on and from 1 March 2013. 3. For the purposes of item 10 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods that are the subject of an agreement or arrangement between the Government of Australia and the government of another country that requires the goods be allowed entry into Australia free of customs duty are prescribed. 4. The application of item 10 to the goods in paragraph 3 is subject to the following conditions: <ol style="list-style-type: none"> (a) the goods must be owned by the government of a country other than Australia at the time of entry for home consumption; (b) the goods must be for the official use of that government; and (c) the goods must not be used for the purposes of trade. 5. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/3/2013
<u>Goods approved by the Minister</u>			
10	1243684	<ol style="list-style-type: none"> 1. This by-law may be cited as Customs By-law No. 1243684. 2. This by-law shall take effect on and from 1 March 2013. 3. For the purposes of item 10 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods, quantities of goods, and uses of goods that the Minister has approved in writing prior to importation, are prescribed. 4. The application of item 10 to the goods in paragraph 3 is subject to the following conditions: <ol style="list-style-type: none"> (a) the goods must be owned by the government of a country other than Australia at the time of entry for home consumption; (b) the goods must be for the official use of that government; and (c) the goods must not be used for the purposes of trade. 5. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/3/2013

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/10

Item	By-law No.	Description of Goods	Start date/ End date
<u>Status of Forces Agreement and Status of Visiting Forces Agreement provisions</u>			
★ 10	1700126	<ol style="list-style-type: none"> 1. This by-law may be cited as Customs By-law No. 1700126. 2. This by-law shall take effect the day after it is registered. 3. For the purposes of item 10 of Schedule 4 to the <i>Customs Tariff Act 1995</i> (the Customs Tariff Act), goods that are the subject of a Status of Forces Agreement or Status of Visiting Forces Agreement between the Government of Australia and the government of another country or other countries are prescribed. 4. The application of item 10 to the goods in paragraph 3 for the purposes of Schedule 4 of the Customs Tariff Act is subject to the conditions of item 10. 	20/12/2017
<u>Item 11 – Goods for foreign forces</u>			
<u>Goods for commissaries</u>			
11	1300964	<ol style="list-style-type: none"> 1. This by-law may be cited as Customs By-law No. 1300964. 2. This by-law shall take effect on and from 1 March 2013. 3. For the purposes of item 11 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods for sale by commissaries, that are for use by or for sale to persons the subject of a Status of Forces Agreement between the Government of Australia and the government of another country, are prescribed. 4. This by-law does not apply to goods that are to be sold or otherwise disposed of by or on behalf of a person referred to in the above paragraph to a person not referred to in the above paragraph. 5. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/3/2013

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.1			Part 2/11
Item	By-law No.	Description of Goods	Start date/ End date
		<u>Personal goods for a Malaysian Visiting Force</u>	
11	1300978	<ol style="list-style-type: none"> 1. This by-law may be cited as Customs By-law No. 1300978. 2. This by-law shall take effect on and from 1 March 2013. 3. For the purposes of item 11 of Schedule 4 to the <i>Customs Tariff Act 1995</i> the following goods are prescribed: <ol style="list-style-type: none"> (a) the personal effects, furniture and household goods (other than goods referred to in paragraph 5) of a member of a Malaysian Visiting Force or the civilian component of such a force, or a dependant of such a person; and (b) a motor vehicle imported by a member of a Malaysian Visiting Force or the civilian component of such a force. 4. The application of item 11 to the goods in paragraph 3(a) is subject to the following conditions: <ol style="list-style-type: none"> (a) the goods are imported at the time of first arrival of the member or dependant in Australia; (b) the goods remain in the use, ownership and possession of the member or dependant; and (c) the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within two years of the date of importation unless prior written approval has been obtained from the Collector. 5. Paragraph 3(a) does not apply to motor vehicles, cigarettes, cigars, tobacco or spirituous liquors. 6. The application of item 11 to the goods in paragraph 3(b) is subject to the following conditions: <ol style="list-style-type: none"> (a) the motor vehicle is owned and used during the period of six months immediately prior to the member's first departure for Australia, and remains in the use, ownership and possession of the member or, with the written permission of the Collector, of another member, for two years after the date of importation; or (b) the motor vehicle remains in the ownership and possession of the member, or, with the written permission of the Collector, of another member, and is exported by the member within three years of the date of importation or within such extended period as the Collector may allow. 	1/3/2013

(Continued)

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/12

Item	By-law No.	Description of Goods	Start date/ End date
11	1300978 (Cont.)	<p>7. For the purposes of this by-law, “Visiting Force”, “civilian component” and “dependant” have the meaning expressed in Article 1 of the Agreement between the Government of Australia and the Government of Malaysia concerning the Status of Forces, which entered into force on 22 July 1999.</p> <p>8. For the purposes of this by-law, “at the time of first arrival” means any time during the period commencing on the date of first arrival in Australia of a member of a Malaysian Visiting Force or the civilian component of such a force or a dependant, to six months after that date.</p> <p>9. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p> <p><u>Personal goods for a New Zealand Visiting Force</u></p>	
11	1300982	<p>1. This by-law may be cited as Customs By-law No. 1300982.</p> <p>2. This by-law shall take effect on and from 1 March 2013.</p> <p>3. For the purposes of item 11 of Schedule 4 to the <i>Customs Tariff Act 1995</i> the following goods are prescribed:</p> <p>(a) the personal effects, furniture and household goods (other than goods referred to paragraph 5) of a member of a New Zealand Visiting Force or the civilian component of such a force, or a dependant of such a person; and</p> <p>(b) a motor vehicle imported by a member of a New Zealand Visiting Force or the civilian component of such a force.</p> <p>4. The application of item 11 to the goods in paragraph 3(a) is subject to the following conditions:</p> <p>(a) the goods are imported at the time of first arrival of the member or dependant in Australia;</p> <p>(b) the goods remain in the use, ownership and possession of the member or dependant; and</p> <p>(c) the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within two years of the date of importation unless prior written approval has been obtained from the Collector determines otherwise.</p> <p>5. Paragraph 3(a) does not apply to motor vehicles, cigarettes, cigars, tobacco or spirituous liquors.</p> <p style="text-align: right;">(Continues)</p>	1/3/2013

Operative 1/3/13

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.1			Part 2/13
Item	By-law No.	Description of Goods	Start date/ End date
11	1300982 (Cont.)	<p>6. The application of item 11 to the goods in paragraph 3(b) is subject to the following conditions:</p> <p>(a) the motor vehicle is owned and used for at least three months immediately prior to the member's first departure for Australia, provided that the motor vehicle remains in the use, ownership and possession of the member or, with the written permission of the Collector, of another member, for two years after the date of importation; or</p> <p>(b) the motor vehicle remains in the use, ownership and possession of the member, or, with the written permission of the Collector, of another member for two years after the date of its importation, or is exported by the member within two years of the date of importation or within such extended period as the Collector may allow.</p> <p>7. For the purposes of this by-law, "Visiting Force", "civilian component" and "dependant" have the meaning expressed in Article 1 of the Agreement between the Government of Australia and the Government of New Zealand concerning the Status of their Forces, which was entered into force on 27 May 2005.</p> <p>8. For the purposes of this by-law, "at the time of first arrival" means any time during the period commencing on the date of first arrival in Australia of a member of a New Zealand Visiting Force or the civilian component of such a force or a dependant, to six months after that date.</p> <p>9. For the purposes of this by-law, the "<i>Customs Tariff Act 1995</i>" means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p> <p><u>Personal goods for a Papua New Guinea Visiting Force</u></p>	
11	1300987	<p>1. This by-law may be cited as Customs By-law No. 1300987.</p> <p>2. This by-law shall take effect on and from 1 March 2013.</p> <p>3. For the purposes of item 11 of Schedule 4 to the <i>Customs Tariff Act 1995</i> the following goods are prescribed:</p> <p>(a) the personal effects, furniture and household goods (other than goods referred to in paragraph 5) of a member of a Papua New Guinea Visiting Force or the civilian component of such a force or of a dependant of such a person; and</p> <p>(b) a motor vehicle imported by a member of a Papua New Guinea Visiting Force or the civilian component of such a force.</p> <p>(Continued)</p>	1/3/2013

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/14

Item	By-law No.	Description of Goods	Start date/ End date
11	1300987 (Cont.)	<p>4. The application of item 11 to the goods in paragraph 3(a) is subject to the following conditions:</p> <p>(a) the goods are imported at the time of first arrival of the member or dependant in Australia;</p> <p>(b) the goods remain in the use, ownership and possession of that person; and</p> <p>(c) the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within two years of the date of importation unless prior written approval has been obtained from the Collector.</p> <p>5. Paragraph 3(a) does not apply to motor vehicles, cigarettes, cigars, tobacco or spirituous liquors.</p> <p>6. The application of item 11 to the goods in paragraph 3(b) is subject to the following condition:</p> <p>(a) the motor vehicle is owned and used outside Australia by the member for three months immediately prior to the member's first departure for Australia, provided that the motor vehicle remains in the use, ownership and possession of the member or, with the written permission of the Collector, of another member during the period of two years immediately after the date of its importation.</p> <p>7. For the purposes of this by-law, "Visiting Force", "civilian component" and "dependant" have the meanings expressed in Article 1 of the Agreement between the Governments of Australia and Papua New Guinea which entered into force on 26 January 1977.</p> <p>8. For the purposes of this by-law, "at the time of the first arrival" means any time during the period commencing on the date of first arrival of a member or dependant of a Papua New Guinea Visiting Force, or the civilian component of such a force or a dependant, to six months after that date, or such further period as the Collector may allow.</p> <p>9. For the purposes of this by-law, the "<i>Customs Tariff Act 1995</i>" means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p>	

Operative 1/3/13

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.1			Part 2/15
Item	By-law No.	Description of Goods	Start date/ End date
<u>Personal goods for a Singapore Visiting Force</u>			
11	1300989	<ol style="list-style-type: none"> 1. This by-law may be cited as Customs By-law No. 1300989. 2. This by-law shall take effect on and from 1 March 2013. 3. For the purposes of item 11 of Schedule 4 to the <i>Customs Tariff Act 1995</i> the following goods are prescribed: <ol style="list-style-type: none"> (a) the personal effects, furniture and household goods (other than goods referred to in paragraph 5) of a member of a Singapore Visiting Force or the civilian component of such a force, or a dependant of such a person; and (b) a motor vehicle imported by a member of a Singapore Visiting Force or the civilian component of such a force. 4. The application of item 11 to the goods in paragraph 3(a) is subject to the following conditions: <ol style="list-style-type: none"> (a) the goods are imported at the time of first arrival of the member or dependant in Australia; (b) the goods remain in the use, ownership and possession of the member or dependant; and (c) the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within two years of the date of entry for home consumption unless prior written approval has been obtained from the Collector. 5. Paragraph 3(a) does not apply to motor vehicles, cigarettes, cigars, tobacco or spirituous liquors. 6. The application of item 11 to the goods in paragraph 3(b) is subject to the following conditions: <ol style="list-style-type: none"> (a) the motor vehicle is owned and used during the period of three months immediately prior to the member's first departure for Australia, provided that the motor vehicle will remain in the use, ownership and possession of the member or, with the written permission of the Collector, of another member of a Singapore Visiting Force, civilian component of such a Force or dependant, throughout the period of two years immediately after the date of entry for home consumption; or (b) the motor vehicle remains in the ownership and possession of the member, or, with the written permission of the Collector, of another member, and is exported by the member within twelve months of the date of entry for home consumption or within such extended period as the Collector may allow. 	1/3/2013

(Continues)

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/16

Item	By-law No.	Description of Goods	Start date/ End date
11	1300989 (Cont.)	<p>7. For the purposes of this by-law, “Visiting Force”, “civilian component” and “dependant” have the meaning expressed in a note from the Australian High Commissioner to Singapore signed on 10 February 1988.</p> <p>8. For the purposes of this by-law, “at the time of first arrival” means any time during the period extending from the date of first arrival in Australia of a member of a Singapore Visiting Force or civilian component of such a force or a dependant, to six months after that date.</p> <p>9. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p> <p><u>Personal goods for a United States Visiting Force</u></p>	
11	1300995	<p>1. This by-law may be cited as Customs By-law No. 1300995.</p> <p>2. This by-law shall take effect on and from 1 March 2013.</p> <p>3. For the purposes of item 11 of Schedule 4 to the <i>Customs Tariff Act 1995</i> the following goods are prescribed:</p> <p>(a) the personal effects, furniture and household goods (other than goods referred to in paragraph 5) of a member of a United States Visiting Force or the civilian component of such a force, or a dependant of such a person;</p> <p>(b) a motor vehicle imported by a member of a United States Visiting Force or the civilian component of such a force;</p> <p>(c) goods (other than goods referred to in paragraphs 7 and 8) imported from the United States through military post offices by a member of the United States Forces or of the civilian component or a dependant, as follows:</p> <p>(i) personal consumables;</p> <p>(ii) goods of a kind which when in use are worn or carried on the person;</p> <p>(iii) goods which are normally carried in hand baggage when travelling;</p> <p>(iv) unsolicited gifts sent by persons resident overseas in recognition or appreciation of an occasion or event.</p> <p>4. The application of item 11 to the goods in paragraph 3(a) is subject to the following conditions:</p> <p>(a) the goods are imported at the time of first arrival of the member or dependant in Australia;</p> <p>(b) the goods remain in the use, ownership and possession of the member or dependant; and</p> <p>(Continues)</p>	1/3/2013

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SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.1			Part 2/17
Item	By-law No.	Description of Goods	Start date/ End date
11	1300995 (Cont.)	<p>(c) the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within two years of the date of importation unless prior written approval has been obtained from the Collector.</p> <p>5. Paragraph 3(a) does not apply to motor vehicles, cigarettes, cigars, tobacco or spirituous liquors.</p> <p>6. The application of item 11 to the goods in paragraph 3(b) is subject to the following conditions:</p> <p>(a) the motor vehicle is owned and used during the period of six months immediately prior to the member's first departure for Australia, and remains in the use, ownership and possession of the member or, with the written permission of the Collector, of another member, for two years after the date of importation; or</p> <p>(b) the motor vehicle remains in the ownership and possession of the member or, with the written permission of the Collector, of another member, and is exported by the member within three years of the date of importation or within such extended period as the Collector may allow.</p> <p>7. Paragraph 3(c) does not apply to goods where the value of the goods exceeds \$US130.</p> <p>8. Paragraph 3(c) does not apply to motor vehicles, cigarettes, cigars, tobacco or spirituous liquors.</p> <p>9. For the purposes of this by-law, "member of the United States Visiting Force or of the civilian component or a dependant", has the meaning expressed in Article 1 of the Agreement concerning the Status of United States Forces in Australia, which entered into force on 9 May 1963.</p> <p>10. For the purposes of this by-law, "at the time of the first arrival" means any time in a period commencing six months before the date of first arrival in Australia of a member of a United States Visiting Force or the civilian component of such a force or a dependant, to six months after that date.</p> <p>11. For the purposes of this by-law, "military post offices" means those U.S. postal establishments located at Alice Springs, N.T., Darwin, N.T., North West Cape, W.A., St. Peters, N.S.W., Woomera, S.A., Melbourne, Vic. and Canberra, A.C.T.</p> <p>12. For the purposes of this by-law, the "<i>Customs Tariff Act 1995</i>" means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p>	

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/18

Item	By-law No.	Description of Goods	Start date/ End date
<u>Personal goods for a French Republic Visiting Force</u>			
★ 11	1700334	<p>1. This by-law may be cited as Customs By-law No. 1700334.</p> <p>2. This by-law shall take effect the day after it is registered.</p> <p>3. For the purposes of item 11 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, the following are prescribed:</p> <ul style="list-style-type: none"> a) the personal effects, furniture and household goods (other than cigarettes, cigars, tobacco or spirituous liquors) of a Member of the French Republic visiting defence force (hereafter the Visiting Force) or the Civilian component of such a force, or a Dependant of such a person; and b) a motor vehicle, imported by a Member of the Visiting Force or the Civilian component of such a force. <p>4. The application of item 11 to the goods in paragraph 3(a) is subject to the following conditions:</p> <ul style="list-style-type: none"> a) the goods are imported at the time of first arrival of the Member or Civilian component to take up service in Australia or within six months thereafter or, in the case of a Dependant to join the Member at the time of first arrival of the Dependant, or within six months thereafter; b) the goods remain in the use, ownership and possession of the Member or Dependant; and c) the goods will not be transferred to another person, sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia unless prior written approval has been obtained from the Collector. <p>5. The application of item 11 to the goods in paragraph 3(b) is subject to the condition that the goods will not be transferred to another person, sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia unless prior written approval has been obtained from the Collector.</p> <p>6. Definitions</p> <p>In this by-law:</p> <p>“Member of Visiting Force” means a person who, in accordance with the law of the French Republic or as mutually determined with the Australian Government, is serving as a Member of a Visiting Force of the French Republic.</p> <p style="text-align: right;">(Continues)</p>	20/12/2017

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.1			Part 2/19
Item	By-law No.	Description of Goods	Start date/ End date
★ 11	1700334 (Cont.)	<p>“Civilian component” means the personnel accompanying a Visiting Force and who are employed by or in the service of the Visiting Force having functions relating to defence matters and who are not members of the Visiting Force, nor nationals of, nor ordinarily resident in Australia.</p> <p>“Dependant” means a person who:</p> <ul style="list-style-type: none"> a) is not a Member of a Visiting Force or of its Civilian component; b) is neither a national of, nor ordinarily resident in the Receiving State; and c) is accompanying a Member of the Visiting Force or of its Civilian component and is: <ul style="list-style-type: none"> i. the spouse of the Member; ii. wholly or mainly maintained by the Member; iii. in the custody, care or charge of the Member; or iv. one of the family of the Member residing with the Member. <p><u>Item 12 – Trade Commissioner goods</u></p>	
12	1243830	<p><u>Goods for the use of a Trade Commissioner of any country</u></p> <ul style="list-style-type: none"> 1. This by-law may be cited as Customs By-law No. 1243830. 2. This by-law shall take effect on and from 1 March 2013. 3. For the purposes of item 12 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods that at the time they are entered for home consumption are for the official use of a Trade Commissioner of any country are prescribed. 4. For the purposes of item 12 the goods in paragraph 3 do not include the goods listed in the table below: <p>TABLE</p> <p>Alcoholic beverages Tobacco products Motor vehicles Aircraft Seacraft.</p> 5. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/3/2013

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/20

Item	By-law No.	Description of Goods	Start date/ End date
<p><u>Item 13 – Goods subject to the Torres Strait Treaty</u></p> <p><u>Goods imported by traditional inhabitants of the area covered by the Torres Strait Treaty</u></p>			
13	1243872	<ol style="list-style-type: none"> This by-law may be cited as Customs By-law No. 1243872 This by-law shall take effect on and from 1 March 2013. For the purposes of item 13 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods imported by traditional inhabitants of the area covered by the Torres Strait Treaty, for the use by such traditional inhabitants in the performance of traditional activities in, or in the vicinity of, the Protected Zone are prescribed. For the purposes of this by-law, “traditional inhabitants” means persons who: <ol style="list-style-type: none"> are Torres Strait Islanders who live in the Protected Zone or the adjacent coastal area of Australia; are citizens of Australia; and maintain traditional customary associations with areas of features in, or in the vicinity of, the Protected Zone, in relation to their subsistence or livelihood or social, cultural or religious activities. For the purposes of this by-law, “traditional activities” includes: <ol style="list-style-type: none"> activities on land, including gardening, collection of food and hunting; activities on water, including traditional fishing; religious and secular ceremonies or gatherings for social purposes, for example, marriage celebrations and settlement of disputes; and barter and market trade. For the purposes of this by-law, “Protected Zone” means the zone established under the Torres Strait Treaty, being the area bounded by the line described in Annex 9 to that Treaty. For the purposes of this by-law, “in the vicinity of” means an area adjacent to the Protected Zone declared by the Minister, by virtue of a notice published in the Gazette, to be an area in the vicinity of the Protected Zone. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/3/2013

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SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.1			Part 2/21
Item	By-law No.	Description of Goods	Start date/ End date
<p><u>Item 14 – Eastern Greater Sunrise offshore area goods</u></p> <p><u>Goods for use in a petroleum activity in the Eastern Greater Sunrise offshore area</u></p>			1/3/2013
14	1300532	<ol style="list-style-type: none"> 1. This by-law may be cited as Customs By-law No. 1300532. 2. This by-law shall take effect on and from 1 March 2013. 3. For the purposes of item 14 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods for use in a petroleum activity in the Eastern Greater Sunrise offshore area are prescribed. 4. For the purposes of this by-law, the Eastern Greater Sunrise offshore area has the same meaning as it has in the <i>Offshore Petroleum and Greenhouse Gas Storage Act 2006</i>. 5. For the purposes of this by-law, “petroleum activity” means any activity relating to any of the following operations: <ol style="list-style-type: none"> (a) petroleum exploration operations; (b) operations for the recovery of petroleum; (c) operations relating to the processing or storage of petroleum; (d) operations relating to the preparation of petroleum for transport; (e) operations connected with the construction or operation of a pipeline, within the meaning of the <i>Offshore Petroleum and Greenhouse Gas Storage Act 2006</i>. 6. Paragraph 3 does not include goods that are for personal or domestic use, including food, beverages (including alcoholic beverages), tobacco, toiletries and clothing (other than protective safety clothing for use in a petroleum activity). 7. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/22

Item	By-law No.	Description of Goods	Start date/ End date
<u>Goods that are personal effects</u>			
15	1300938	<p><u>Item 15 – Personal effects for passengers and ship or aircraft crew</u></p> <p><u>Goods imported by a member of the forces of Canada or the United Kingdom</u></p> <ol style="list-style-type: none"> This by-law may be cited as Customs By-law No. 1300938. This by-law takes effect on and from 1 March 2013. For the purposes of paragraph (d) of item 15 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods imported by a member of the forces of Canada or the United Kingdom being goods, as follows, are prescribed: <ol style="list-style-type: none"> a motor vehicle owned and used outside Australia by the member of those forces during the period of six months immediately preceding his or her first departure for Australia, provided that the motor vehicle remains in the use, ownership and possession of that member of those forces or, with the permission of the Collector, of another member of those forces during the period of two years immediately after the date of its importation; a motor vehicle for the personal use of the member of those forces, not being a motor vehicle of a kind described in the preceding paragraph, which is intended to be exported, provided that the vehicle is exported within three years after the date of its importation or within such extended period as may be approved by the Collector. <p>With the permission of the Collector, a motor vehicle imported under this sub-paragraph may be transferred to another member of those forces provided that it is exported by the latter member of those forces within three years after the date of its importation or within such extended period as may be approved by the Collector.</p> For the purposes of this by-law, “member of the Forces of Canada or the United Kingdom” means a person belonging to the land, sea or air armed services of those countries temporarily serving in Australia under arrangements agreed on by the Government of Australia and the Governments of Canada and the United Kingdom. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/3/2013

Operative 1/3/13

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.1			Part 2/23
Item	By-law No.	Description of Goods	Start date/ End date
<u>Unaccompanied personal effects</u>			
★ 15	1700581	<p>1. This by-law may be cited as Customs By-law No. 1700581.</p> <p>2. This by-law takes effect on and from 1 February 2018.</p> <p>3. For the purposes of item 15 Schedule 4 to the <i>Customs Tariff Act 1995</i>, the goods that are specified in Column 1 of the Table (the Table) below are prescribed.</p> <p>4. The application of item 15 to the goods in the Table are subject to:</p> <ul style="list-style-type: none"> (a) paragraph 5; and (b) the exceptions and conditions, if any, set out in Column 2 of the Table opposite those goods. <p>5. The goods must:</p> <ul style="list-style-type: none"> (a) not be commercial goods; and (b) be personal goods. <p>6. In this by-law:</p> <p><i>adult</i> means a person 18 years or over;</p> <p><i>arriving person</i> means a passenger or crew member who was on board a ship or aircraft which arrived in Australia from a place outside Australia;</p> <p><i>arriving resident</i> means a person who arrives in Australia and intends immediately to take up or resume residence in Australia; and</p> <ul style="list-style-type: none"> (a) is an Australian citizen for the purposes of the <i>Australian Citizenship Act 2007</i> (as amended from time to time); or (b) holds a permanent visa within the meaning of the <i>Migration Act 1958</i> (as amended from time to time); or (c) holds a special category visa within the meaning of the <i>Migration Act 1958</i> (as amended from time to time); <p><i>commercial goods</i> means goods that:</p> <ul style="list-style-type: none"> (a) are intended to be used by the arriving person for a commercial purpose, including sale, lease, hire or exchange; or (b) are goods that have been imported in such a quantity that, having regard to their nature or durability, that quantity represents a commercial quantity; <p><i>family</i> means:</p> <ul style="list-style-type: none"> (a) 2 people who are married, and any of their children who are under the age of 18 years; or (b) a person and his or her <i>de facto</i> partner (within the meaning of the <i>Acts Interpretation Act 1901</i>), and any of their children who are under the age of 18 years; <p>(Continues)</p>	1/2/2018

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/24

Item	By-law No.	Description of Goods	Start date/ End date						
★ 15	1700581 (Cont.)	<p><i>personal goods</i> means goods that:</p> <p>(a) are the property of an arriving person; and</p> <p>(b) are suitable, and are intended, for use by the arriving person; but do not include motor vehicles or motor vehicle parts;</p> <p><i>tobacco products</i> mean cigarettes, cigars or other products containing tobacco;</p> <p><i>used</i> in relation to the expression “personally owned and used” means being available for use for their intended purpose by the arriving person or arriving resident on a continuing basis in each country in which that person was residing on a long term basis.</p> <p style="text-align: center;">THE TABLE</p> <table><tr><th>Column 1 Goods</th><th>Column 2 Exceptions and Conditions</th></tr><tr><td>(1) Goods, as follows: (a) personal clothing of all kinds including footwear; (b) articles for personal hygiene or grooming.</td><td>(1) The goods must be imported by an arriving resident. (2) Except fur apparel and perfume concentrates.</td></tr><tr><td>(2) Goods, as follows: (a) non-motorised caravans; (b) non-motorised box, boat or similar trailers; (c) boats designed for use in sheltered waters for sport or recreation, conforming to one of the following specifications: (i) boats propelled by manual or pedal power; (ii) sailing boats that: (a) do not exceed 1,000 kilograms unladen weight; (b) do not incorporate any device for propelling the boat by power; and (c) are not of the deep keel type; or (iii) powered boats that: (a) do not exceed 7 metres in length, overall; (b) do not exceed 2.5 metres in width at any section; and (c) do not exceed 1,250 kilograms unladen weight when imported with driving units and transmissions, or 800 kilograms unladen weight when imported without driving units and transmissions.</td><td>(1) The goods must be imported by an arriving resident. (2) If the person is part of a family, only one article selected from each of the three groups (a), (b) and (c) (specified in Column 1) will be allowed for the family per three years. (3) If the person is not part of a family, only one article selected from each of the three groups (a), (b) and (c) (specified in Column 1) will be allowed for the person per three years. (4) The person must: (a) be an arriving resident; and (b) have personally owned and used the goods overseas for the twelve months preceding the person’s departure for Australia. (5) If the goods are a boat specified in Table item 2(c), they will not be sold or otherwise disposed of in Australia by or on behalf of the arriving resident, within two years after the date of importation of the goods.</td></tr></table> <p style="text-align: right;">(Continued)</p>	Column 1 Goods	Column 2 Exceptions and Conditions	(1) Goods, as follows: (a) personal clothing of all kinds including footwear; (b) articles for personal hygiene or grooming.	(1) The goods must be imported by an arriving resident. (2) Except fur apparel and perfume concentrates.	(2) Goods, as follows: (a) non-motorised caravans; (b) non-motorised box, boat or similar trailers; (c) boats designed for use in sheltered waters for sport or recreation, conforming to one of the following specifications: (i) boats propelled by manual or pedal power; (ii) sailing boats that: (a) do not exceed 1,000 kilograms unladen weight; (b) do not incorporate any device for propelling the boat by power; and (c) are not of the deep keel type; or (iii) powered boats that: (a) do not exceed 7 metres in length, overall; (b) do not exceed 2.5 metres in width at any section; and (c) do not exceed 1,250 kilograms unladen weight when imported with driving units and transmissions, or 800 kilograms unladen weight when imported without driving units and transmissions.	(1) The goods must be imported by an arriving resident. (2) If the person is part of a family, only one article selected from each of the three groups (a), (b) and (c) (specified in Column 1) will be allowed for the family per three years. (3) If the person is not part of a family, only one article selected from each of the three groups (a), (b) and (c) (specified in Column 1) will be allowed for the person per three years. (4) The person must: (a) be an arriving resident; and (b) have personally owned and used the goods overseas for the twelve months preceding the person’s departure for Australia. (5) If the goods are a boat specified in Table item 2(c), they will not be sold or otherwise disposed of in Australia by or on behalf of the arriving resident, within two years after the date of importation of the goods.	
Column 1 Goods	Column 2 Exceptions and Conditions								
(1) Goods, as follows: (a) personal clothing of all kinds including footwear; (b) articles for personal hygiene or grooming.	(1) The goods must be imported by an arriving resident. (2) Except fur apparel and perfume concentrates.								
(2) Goods, as follows: (a) non-motorised caravans; (b) non-motorised box, boat or similar trailers; (c) boats designed for use in sheltered waters for sport or recreation, conforming to one of the following specifications: (i) boats propelled by manual or pedal power; (ii) sailing boats that: (a) do not exceed 1,000 kilograms unladen weight; (b) do not incorporate any device for propelling the boat by power; and (c) are not of the deep keel type; or (iii) powered boats that: (a) do not exceed 7 metres in length, overall; (b) do not exceed 2.5 metres in width at any section; and (c) do not exceed 1,250 kilograms unladen weight when imported with driving units and transmissions, or 800 kilograms unladen weight when imported without driving units and transmissions.	(1) The goods must be imported by an arriving resident. (2) If the person is part of a family, only one article selected from each of the three groups (a), (b) and (c) (specified in Column 1) will be allowed for the family per three years. (3) If the person is not part of a family, only one article selected from each of the three groups (a), (b) and (c) (specified in Column 1) will be allowed for the person per three years. (4) The person must: (a) be an arriving resident; and (b) have personally owned and used the goods overseas for the twelve months preceding the person’s departure for Australia. (5) If the goods are a boat specified in Table item 2(c), they will not be sold or otherwise disposed of in Australia by or on behalf of the arriving resident, within two years after the date of importation of the goods.								

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.3

Part 2/25

Item	By-law No.	Description of Goods		Start date/ End date
★ 15	1700581 (Cont.)	Column 1 Goods	Column 2 Exceptions and Conditions	
		(3) Aircraft of all types, having not more than one propulsion motor.	(1) The goods must be imported by a person who is an arriving resident and who is an adult. (2) If the person is part of a family, only one aircraft will be allowed for the family. (3) If the person is not part of a family, only one aircraft will be allowed for the person. (4) The person must have personally owned and used the goods overseas for the six months preceding the person's departure for Australia. (5) The goods must not be sold or otherwise disposed of in Australia by or on behalf of the arriving person, within two years after the date of importation of the goods.	
		(4) Machinery, plant and equipment, not covered by a preceding Item.	(1) The goods must be imported by a person who is an arriving resident and who is an adult. (2) The person must have personally owned and used the goods overseas for the twelve months preceding the person's departure for Australia. (3) The person must intend to use the goods or be in a position to use the goods. (4) The goods will, for a continuous period of two years, be put to use in Australia by the person for the purpose for which they are intended. (5) The goods will not be sold, leased, hired, mortgaged or otherwise disposed of, by or on behalf of the person, before the expiration of the two year period referred to in sub-paragraph (4) of this condition. (Continued)	

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/26

Item	By-law No.	Description of Goods	Start date/ End date				
★ 15	1700581 (Cont.)	<table><tr><th>Column 1 Goods</th><th>Column 2 Exceptions and Conditions</th></tr><tr><td>(5) Fur apparel, personal effects, furniture and household goods, not covered by a preceding Item.</td><td>1) The goods must be imported by an arriving person. (2) The person must have personally owned and used the goods overseas for the twelve months preceding the arriving person's departure for Australia. (3) Except alcoholic beverages and tobacco products.</td></tr></table>	Column 1 Goods	Column 2 Exceptions and Conditions	(5) Fur apparel, personal effects, furniture and household goods, not covered by a preceding Item.	1) The goods must be imported by an arriving person. (2) The person must have personally owned and used the goods overseas for the twelve months preceding the arriving person's departure for Australia. (3) Except alcoholic beverages and tobacco products.	
Column 1 Goods	Column 2 Exceptions and Conditions						
(5) Fur apparel, personal effects, furniture and household goods, not covered by a preceding Item.	1) The goods must be imported by an arriving person. (2) The person must have personally owned and used the goods overseas for the twelve months preceding the arriving person's departure for Australia. (3) Except alcoholic beverages and tobacco products.						
		7. For the purposes of this by-law, the “ <i>Customs Tariff Act 1995</i> ” means the <i>Customs Tariff Act 1995</i> . <u>Accompanied personal effects</u>					
★ 15	1700571	1. This by-law may be cited as Customs By-law No. 1700571. 2. This by-law takes effect on and from 1 February 2018. 3. For the purposes of item 15 of Schedule 4 to the <i>Customs Tariff Act 1995</i> , goods that are specified in Column 1 of the Table below (the Table) are prescribed. 4. The application of item 15 to the goods specified in Column 1 of the Table are subject to: (a) paragraph 5; and (b) the exclusions and conditions, if any, set out in Column 2 opposite those goods or in paragraph 9. 5. The goods must: (a) be imported as the accompanied baggage of an arriving person or purchased by an arriving person at an inwards duty free shop; and (b) not be commercial goods; and (c) not be motor vehicles or motor vehicle parts. 6. For item 5 of the Table, if: (a) the total quantity of alcoholic beverages imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 2,250 ml; and (b) the person has not concealed any of the alcoholic beverages from Customs and the person does not wish to take the total quantity of alcoholic beverages into home consumption;	1/2/2018				
		(Continues)					

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.3			Part 2/27
Item	By-law No.	Description of Goods	Start date/ End date
★ 15	1700571 (Cont.)	<p>the following applies:</p> <p>(c) item 15 applies only to the alcoholic beverages that are imported (if any) and purchased (if any) in one or more containers where the total contents of those containers are equal to or less than 2,250 ml; and</p> <p>(d) no alcoholic beverages may be removed from or added to any of the containers after the beverages are imported (if any) and purchased (if any), and before they are delivered into home consumption.</p> <p>7. For the purposes of item 7 of the Table, one cigarette is taken to weigh 1 gram.</p> <p>8. For the purposes of item 8 of the Table, the amount, in respect of a family that arrived in Australia on a flight or voyage, is the amount calculated in accordance with the formula:</p> $(\$900 \times A) + (\$450 \times C)$ <p>where:</p> <p>A is the number of adults in the family who were on the flight or voyage; and</p> <p>C is the number of children in the family who were on the flight or voyage.</p> <p>9. In this by-law:</p> <p><i>accompanied baggage</i> means goods which:</p> <p>(a) are carried or worn by an arriving person and are available for presentation to Customs at the time of his or her processing through Customs; or</p> <p>(b) are consigned to travel on the same ship or aircraft as the arriving person as baggage under a passenger's ticket baggage allowance or as excess baggage, but which are loaded onto another ship or aircraft due to circumstances beyond the control of the arriving person; or</p> <p>(c) are consigned to arrive on one of a group of Australian Defence Force operated ships or aircraft carrying out the joint task of transporting passengers and their baggage,</p> <p>but does not include goods forwarded by post or consigned as freight by the arriving person whether or not they arrive on the same ship or aircraft;</p> <p><i>adult</i> means a person 18 years or over;</p> <p><i>arriving person</i> means a passenger or crew member who was on board a ship or aircraft which arrived in Australia from a place outside Australia;</p> <p>(Continues)</p>	

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/28

Item	By-law No.	Description of Goods	Start date/ End date
★ 15	1700571 (Cont.)	<p><i>child</i> means a child (within the meaning of section 4 of the <i>Customs Act 1901</i>) who is under 18;</p> <p><i>commercial goods</i> means goods that:</p> <ul style="list-style-type: none"> (a) are intended to be used by the arriving person for a commercial purpose, including sale, lease, hire or exchange; or (b) are goods that have been imported in such a quantity that, having regard to their nature or durability, that quantity represents a commercial quantity; <p><i>concealed</i> includes if a person was required to give information about goods to Customs in accordance with section 71, 71K or 71L of the <i>Customs Act 1901</i> and the person failed to do so;</p> <p><i>family</i>, means:</p> <ul style="list-style-type: none"> (a) 2 people who are married, and any of their children; or (b) a person and his or her <i>de facto</i> partner (within the meaning of the <i>Acts Interpretation Act 1901</i>), and any of their children; <p><i>inwards duty free shop</i> has the meaning given by section 96B of the <i>Customs Act 1901</i>;</p> <p><i>GST</i> has the meaning given by section 195-1 of the GST Act;</p> <p><i>GST Act</i> means the <i>A New Tax System (Goods and Services Tax) Act 1999</i>;</p> <p><i>personal good</i> means a good that is:</p> <ul style="list-style-type: none"> (a) the property of an arriving person; and (b) suitable, and is intended, for use by the arriving person; <p><i>tobacco product</i> means a cigarette, cigar or other product containing tobacco;</p> <p><i>used</i>, in relation to the expression “owned and used”, means being available for use for their intended purpose by the arriving person on a continuing basis in each country in which that person was residing on a long term basis.</p>	

(Continues)

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.3

Part 2/29

Item	By-law No.	Description of Goods	Start date/ End date
★ 15	1700571 (Cont.)	THE TABLE	
		Column 1 Goods	Column 2 Conditions and Exclusions
		Category: Personal clothing, footwear and articles for personal hygiene/grooming	
		Item 1: Personal goods, as follows: (a) personal clothing of all kinds including footwear; (b) articles for personal hygiene or grooming.	Exclusion 1.1: Excluding fur apparel and perfume concentrates.
		Category: Goods previously exported from Australia by the arriving person	
		Item 2: Personal goods, imported by an arriving person ordinarily domiciled in Australia that were exported from Australia when the person departed from Australia.	Exclusion 2.1: Excluding goods purchased duty free in Australia at an outwards duty free shop (within the meaning of section 96A of the <i>Customs Act 1901</i>). Exclusion 2.2: Excluding goods that were an acquisition, the supply of which was a GST-free supply because of item 7 in the table in subsection 38-185(1) of the GST Act. Exclusion 2.3: Excluding goods in respect of which the arriving person is entitled to, and has claimed, a payment under Division 168 of the GST Act related to the export of the goods.
		Category: Goods to be exported from Australia later by the arriving person	
		Item 3: Personal goods, imported by an arriving person ordinarily domiciled outside Australia that the arriving person intends to export from Australia when the arriving person departs from Australia.	
		(Continues)	

(Continues)

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/30

Item	By-law No.	Description of Goods	Start date/ End date
★ 15	1700571 (Cont.)	Column 1 Goods	Column 2 Conditions and Exclusions
		Category: Goods owned and used overseas for more than 12 months	
		Item 4: Personal goods, including fur apparel, personal effects, furniture and household goods not covered by items 1 to 3.	Condition 4.1: Provided the goods have been owned and used overseas by the arriving person for a period of 12 months preceding the arriving person's departure for Australia. Exclusion 4.2: Excluding alcoholic beverages and tobacco products.
		Category: Alcoholic beverages	
		Item 5: Alcoholic beverages not exceeding 2,250 ml.	Condition 5.1: The goods must be imported by an adult or purchased at an inwards duty free shop by an adult. <i>Note: See paragraph 6 for additional conditions</i> Exclusion 5.2: Excluding all alcoholic beverages where the total quantity of alcoholic beverages imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 2,250 ml and the person has concealed any of the alcoholic beverages from Customs. Exclusion 5.3: Excluding all alcoholic beverages where the total quantity of alcoholic beverages imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 2,250 ml and the person has not concealed any of the alcoholic beverages and the person wishes to take the total quantity of alcoholic beverages into home consumption.
		Category: Tobacco products	
		Item 6: 25 or less cigarettes.	Condition 6.1: The goods must be in an opened packet in the possession of the adult who imported them.

(Continues)

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.3		Part 2/31	
Item	By-law No.	Description of Goods	Start date/ End date
★ 15	1700571 (Cont.)	Column 1 Goods	Column 2 Conditions and Exclusions
		<p>Item 7: Tobacco products not exceeding 25 grams (excluding cigarettes covered by item (6)).</p>	<p>Condition 7.1: The goods must be imported by an adult or purchased at an inwards duty free shop by an adult.</p> <p>Exclusion 7.2: Excluding all tobacco products where the total quantity of tobacco products imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 25 grams (excluding cigarettes covered by item (6)) and the person has concealed any of the tobacco products from Customs.</p> <p>Exclusion 7.3: Excluding all tobacco products where the total quantity of tobacco products imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 25 grams (excluding cigarettes covered by item (6)) and the person has not concealed any of the tobacco from Customs and the person wishes to take the total quantity of tobacco products into home consumption.</p>

(Continues)

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/32

Item	By-law No.	Description of Goods	Start date/ End date										
★ 15	1700571 (Cont.)	<table><tr><th>Column 1 Goods</th><th>Column 2 Conditions and Exclusions</th></tr><tr><td colspan="2">Category: Family - general goods not covered by any other category</td></tr><tr><td>Item 8: Goods: (a) not covered by an item of the Table above; and (b) where the total value of all such goods imported by the members of a family (if any) and purchased by the members of the family at an inwards duty free shop (if any) does not exceed the amount calculated in accordance with paragraph 8 above.</td><td>Condition 8.1: The goods must be imported by a member of a family or purchased at an inwards duty free shop by a member of a family. Condition 8.2: The members of the family must be passengers who arrived in Australia on the same flight or voyage. Exclusion 8.3: Excluding alcoholic beverages and tobacco products. Exclusion 8.4: Excluding all goods where the total value of all such goods imported by the members of the family (if any) and purchased by the members of the family at an inwards duty free shop (if any) exceeds the amount calculated in accordance with paragraph 8 above.</td></tr><tr><td colspan="2">Category: Adult (not travelling in family group) - general goods not covered by any other category</td></tr><tr><td>Item 9: Goods: (a) not covered by an item of the Table above; and (b) where the total value of such goods does not exceed \$900.</td><td>Condition 9.1: The goods must be imported, or purchased at an inwards duty free shop, by an adult passenger who is not travelling on the flight or voyage with his or her family. Exclusion 9.2: Excluding alcoholic beverages and tobacco products. Exclusion 9.3: Excluding all goods where the total value of all such goods imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds \$900.</td></tr></table>	Column 1 Goods	Column 2 Conditions and Exclusions	Category: Family - general goods not covered by any other category		Item 8: Goods: (a) not covered by an item of the Table above; and (b) where the total value of all such goods imported by the members of a family (if any) and purchased by the members of the family at an inwards duty free shop (if any) does not exceed the amount calculated in accordance with paragraph 8 above.	Condition 8.1: The goods must be imported by a member of a family or purchased at an inwards duty free shop by a member of a family. Condition 8.2: The members of the family must be passengers who arrived in Australia on the same flight or voyage. Exclusion 8.3: Excluding alcoholic beverages and tobacco products. Exclusion 8.4: Excluding all goods where the total value of all such goods imported by the members of the family (if any) and purchased by the members of the family at an inwards duty free shop (if any) exceeds the amount calculated in accordance with paragraph 8 above.	Category: Adult (not travelling in family group) - general goods not covered by any other category		Item 9: Goods: (a) not covered by an item of the Table above; and (b) where the total value of such goods does not exceed \$900.	Condition 9.1: The goods must be imported, or purchased at an inwards duty free shop, by an adult passenger who is not travelling on the flight or voyage with his or her family. Exclusion 9.2: Excluding alcoholic beverages and tobacco products. Exclusion 9.3: Excluding all goods where the total value of all such goods imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds \$900.	
		Column 1 Goods	Column 2 Conditions and Exclusions										
		Category: Family - general goods not covered by any other category											
		Item 8: Goods: (a) not covered by an item of the Table above; and (b) where the total value of all such goods imported by the members of a family (if any) and purchased by the members of the family at an inwards duty free shop (if any) does not exceed the amount calculated in accordance with paragraph 8 above.	Condition 8.1: The goods must be imported by a member of a family or purchased at an inwards duty free shop by a member of a family. Condition 8.2: The members of the family must be passengers who arrived in Australia on the same flight or voyage. Exclusion 8.3: Excluding alcoholic beverages and tobacco products. Exclusion 8.4: Excluding all goods where the total value of all such goods imported by the members of the family (if any) and purchased by the members of the family at an inwards duty free shop (if any) exceeds the amount calculated in accordance with paragraph 8 above.										
		Category: Adult (not travelling in family group) - general goods not covered by any other category											
Item 9: Goods: (a) not covered by an item of the Table above; and (b) where the total value of such goods does not exceed \$900.	Condition 9.1: The goods must be imported, or purchased at an inwards duty free shop, by an adult passenger who is not travelling on the flight or voyage with his or her family. Exclusion 9.2: Excluding alcoholic beverages and tobacco products. Exclusion 9.3: Excluding all goods where the total value of all such goods imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds \$900.												

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SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.2

Part 2/33

Item	By-law No.	Description of Goods	Start date/ End date						
★ 15	1700571 (Cont.)	<table><tr><th>Column 1 Goods</th><th>Column 2 Conditions and Exclusions</th></tr><tr><td colspan="2">Category: Children (not travelling in a family group) and crew members - general goods not covered by any other category</td></tr><tr><td>Item 10: Goods: (a) not covered by an item of the Table above; and (b) where the total value of such goods does not exceed \$450.</td><td>Condition 10.1: The goods must be imported, or purchased at an inwards duty free shop, by a crew member or a passenger who is a child who is not travelling on the flight or voyage with his or her family. Exclusion 10.2: Excluding alcoholic beverages and tobacco products. Exclusion 10.3: Excluding all goods where the total value of all such goods imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds \$450.</td></tr></table>	Column 1 Goods	Column 2 Conditions and Exclusions	Category: Children (not travelling in a family group) and crew members - general goods not covered by any other category		Item 10: Goods: (a) not covered by an item of the Table above; and (b) where the total value of such goods does not exceed \$450.	Condition 10.1: The goods must be imported, or purchased at an inwards duty free shop, by a crew member or a passenger who is a child who is not travelling on the flight or voyage with his or her family. Exclusion 10.2: Excluding alcoholic beverages and tobacco products. Exclusion 10.3: Excluding all goods where the total value of all such goods imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds \$450.	
Column 1 Goods	Column 2 Conditions and Exclusions								
Category: Children (not travelling in a family group) and crew members - general goods not covered by any other category									
Item 10: Goods: (a) not covered by an item of the Table above; and (b) where the total value of such goods does not exceed \$450.	Condition 10.1: The goods must be imported, or purchased at an inwards duty free shop, by a crew member or a passenger who is a child who is not travelling on the flight or voyage with his or her family. Exclusion 10.2: Excluding alcoholic beverages and tobacco products. Exclusion 10.3: Excluding all goods where the total value of all such goods imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds \$450.								
10. For the purposes of this by-law, the “ <i>Customs Tariff Act 1995</i> ” means the <i>Customs Tariff Act 1995</i> .									
<u>Goods that are returned to Australia</u>									
<u>Item 16 – Repair goods under an article of a free trade agreement</u>									
<u>Goods covered by the Australia-Chile Free Trade Agreement</u>									
16	1244018	<div>1. This by-law may be cited as Customs By-law No. 1244018.</div> <div>2. This by-law shall take effect on and from 1 March 2013.</div> <div>3. For the purposes of item 16 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, Article 3.7 of the Australia-Chile Free Trade Agreement is prescribed.</div> <div>4. In this by-law “Australia-Chile Free Trade Agreement” means the Australia-Chile Free Trade Agreement, done at Canberra on 30 July 2008.</div> <div>5. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</div>	1/3/2013						

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/34

Item	By-law No.	Description of Goods	Start date/ End date
<u>Goods covered by the Australia-US Free Trade Agreement</u>			
16	1244032	<ol style="list-style-type: none"> This by-law may be cited as Customs By-law No. 1244032 This by-law shall take effect on and from 1 March 2013. For the purposes of item 16 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, Article 2.6 of the Australia-US Free Trade Agreement is prescribed. In this by-law “Australia-US Free Trade Agreement” means the Australia-US Free Trade Agreement, done at Washington DC on 18 May 2004. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/3/2013
<u>Goods covered by the Korea-Australia Free Trade Agreement</u>			
16	1540737	<ol style="list-style-type: none"> This by-law may be cited as Customs By-Law No. 1540737. This by-law shall take effect on and from 1 January 2016. For the purposes of item 16 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, Article 2.4 of the Korea-Australia Free Trade Agreement is prescribed. In this by-law “Korea-Australia Free Trade Agreement” means the Korea-Australia Free Trade Agreement, done at Seoul, South Korea on 8 April 2014, as in force from the day this instrument is signed. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/1/2016
<u>Item 17 – Goods exported and returned to Australia in an unaltered condition</u>			
<u>Goods returned from Antarctica</u>			
17	1300536	<ol style="list-style-type: none"> This by-law may be cited as Customs By-law No. 1300536. This by-law shall take effect on and from 1 March 2013. For the purposes of item 17 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods that have been exported from Australia on a temporary basis to the Australian Antarctic Territory, including Heard and McDonald islands, are prescribed. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/3/2013

Operative 1/1/16

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.3			Part 2/35
Item	By-law No.	Description of Goods	Start date/ End date
<u>Goods exported from Australia and returned in an unaltered condition</u>			
17	0176871	<p>1. This by-law may be cited as Customs By-law No. 0176871.</p> <p>2. This by-law shall take effect on and from 1 July 2013.</p> <p>3. For the purposes of item 17 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods that:</p> <p>(a) are produced in Australia; or</p> <p>(b) duties of the Commonwealth were paid when first imported into Australia;</p> <p>that have been exported from Australia and returned in an unaltered condition, being goods that have not been subject to treatment, repair, renovation, alteration or any other process, are prescribed.</p> <p>4. For the purposes of paragraph 3, “repair” does not include repairs undertaken for the preservation or maintenance of the goods.</p> <p>5. The application of item 17 to the goods in paragraph 3 does not include goods in respect of which:</p> <p>(a) that, at a time before they were exported, were excisable goods (within the meaning of the <i>Excise Act 1901</i>) in respect of which excise duty (payable under the <i>Excise Tariff Act 1921</i>) has not been paid;</p> <p>(b) any duties of the Commonwealth were payable at or prior to the date of exportation but which have not been paid;</p> <p>(c) a drawback or refund of any duties of the Commonwealth was paid and an amount equal to such drawback or refund has not been paid to the Commonwealth.</p> <p>6. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p>	1/7/2013

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/36

Item	By-law No.	Description of Goods	Start date/ End date
<p><u>Item 20 – Goods exported for repair or renovation</u></p> <p><u>Goods returned after repair or renovation including batch repair process goods</u></p>			1/3/2013
20	1305083	<p>1. This by-law may be cited as Customs By-law No. 1305083.</p> <p>2. This by-law shall take effect on and from 1 March 2013.</p> <p>3. For the purposes of item 20 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods that have either:</p> <p>(a) been exported from Australia for repair or renovation and returned after repair or renovation; or</p> <p>(b) are part of a batch repair process to replace goods exported from Australia for repair or renovation,</p> <p>are prescribed.</p> <p>4. For the purposes of paragraph 3, a “batch repair process” means a system of repairing or renovating goods whereby defective goods are exchanged for identical goods which have already undergone repair or renovation.</p> <p>5. The application of item 20 to the goods in paragraph 3 is subject to the following conditions:</p> <p>(a) the returned goods have not been subject to any process other than that required to effect the repair or renovation;</p> <p>(b) the returned goods are not new or upgraded versions of the exported goods;</p> <p>(c) the exported goods have not reached the end of their effective operational life.</p> <p>6. For the purposes of paragraph 5(c), goods that have “reached the end of their effective operational life” include goods which are worn out or not otherwise capable of being repaired or renovated.</p> <p>7. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered.</p>	

Operative 1/3/13

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

R.2			Part 2/37
Item	By-law No.	Description of Goods	Start date/ End date
<p><u>Goods that are to be exported from Australia</u></p> <p><u>Item 21 – Goods for repair or alteration to be exported</u></p> <p><u>Goods that are made in Australia that are returned for repair or alteration, and are to be re-exported</u></p>			
21	1304161	<ol style="list-style-type: none"> 1. This by-law may be cited as Customs By-law No. 1304161. 2. This by-law shall take effect on and from 1 March 2013. 3. For the purposes of item 21 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods that are made in Australia that are returned to Australia for repair or alteration, and are to be re-exported, are prescribed. 4. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. <p><u>Goods that are imported for repair or alteration, and are to be re-exported, under security</u></p>	1/3/2013
21	1304168	<ol style="list-style-type: none"> 1. This by-law may be cited as Customs By-law No. 1304168. 2. This by-law shall take effect on and from 1 March 2013. 3. For the purposes of item 21 of Schedule 4 to the <i>Customs Tariff Act 1995</i>, goods that are imported to Australia for repair or alteration, and are to be re-exported, are prescribed, under security. 4. For the purposes of this by-law, the “<i>Customs Tariff Act 1995</i>” means the <i>Customs Tariff Act 1995</i>, as amended or proposed to be altered. 	1/3/2013

SCHEDULE OF CONCESSIONAL INSTRUMENTS

PART II

INSTRUMENTS ISSUED TO ITEMS IN SCHEDULE 4

CUSTOMS TARIFF ACT 1995

Part 2/38

Item	By-law No.	Description of Goods	Start date/ End date
		(Blank)	