

## Australian Customs Notice No. 2023/37

Agreement between Australia and Japan concerning the Facilitation of Reciprocal Access and Cooperation between the Australian Defence Force and the Self-Defense Forces of Japan

On 13 August 2023, the Agreement between Australia and Japan concerning the Facilitation of Reciprocal Access and Cooperation between the Australian Defence Force and the Self-Defense Forces of Japan (the Agreement) will enter into force.

The Agreement is a Status of Forces Agreement for the purposes of Item 10 and 11 of Schedule 4 of the *Customs Tariff Act 1995*. At entry into force of the Agreement, certain goods will be eligible for a 'Free' rate of customs duty and a Goods and Services Tax (GST) exemption at the time of entry into home consumption. Under the Agreement, goods are also exempt from the payment of Import Processing Charge (IPC) under certain conditions. Please refer to Australian Customs Notice No. 2023/36 for information on the exemption from IPC under Status of Forces Agreements.

Materials, supplies, and equipment for the exclusive and official use of the Japan Visiting Force or its civilian component, and fuel, oil and lubricants exclusively for official use in Official Vehicles and vessels and aircraft owned by or for the exclusive use or service of the Japan Visiting Force or its civilian component can be imported under item 10 of Schedule 4 to the *Customs Tariff Act 1995* with a 'Free' rate of customs duty and a GST exemption. To be eligible for this item, goods must meet the terms of the relevant by-law and, at the time of entry for home consumption, they must be owned by the government of a country other than Australia, they must be for the official use of that government, and are not to be used for the purposes of trade.

The personal effects, motor vehicles, furniture and household goods, other than cigarettes, cigars, tobacco, and alcoholic beverages, of members of the Japan Visiting Force or its civilian component can be imported with a 'Free' rate of customs duty and a GST exemption under Item 11 of Schedule 4 to the *Customs Tariff Act 1995* and new Customs by-law no. 2300138. Under this item and by-law, only one motor vehicle can be imported for each member of the Japan Visiting Force or its civilian component.

The Online Tariff will be updated to reflect the commencement of new Customs By-law no. 2300138, and Tariff Working Pages for this by-law are available at <u>Attachment A</u>.

Any questions related to this notice can be directed to tradepolicy1@abf.gov.au.

[signed] Kimberlee Stamatis Assistant Secretary Customs and Trade Policy Branch 10 August 2023

# Attachment A (Tariff Working Pages)

#### PART II

R. 2					Part 2/7
Item	By-law No.		Description	of Goods	Start date/ End date
			Annex B.1 concerning	ent (within the meaning of Article 1 of Goods for Display or Use at etings or Similar Events).	
			Conditions		
4	<b>2300087</b> (Cont.)	3.	tem 4 applies to those goods covere he following conditions:	d by subsection (2) subject to both of	
			the Collector has approved, in  (i) the kinds of goods;  (ii) the quantity of the good (iii) the event for which the		
			b) the goods are imported for us	e at, or in relation to the event.	
			Definitions		
		4.	n this section:		
			Meetings or Similar Events means to stanbul on 26 June 1990, to the Condone at Istanbul on 26 June 1990.  Note: The Annex is in Australian Treat	ty Series 1997 No. 22 223 be viewed in the Australian Treaties Library	
			for Display or Use at Exhibitions, F	acilities for the Importation of Goods Sairs, Meetings or Similar Events ame, done at Brussels on 8 June 1961.	
			Note: The Convention is in Australian ([1963] ATS 2) and could in 202 on the AustLII website (http://w	23 be viewed in the Australian Treaties Library	
		<u>Item</u>	– Theatrical and traditional costu	mes_	
		Thea	cal costumes or props		
8	2300023	1.	This by-law may be cited as Custom	s By-law No. 2300023.	1/4/2023
			Prescribed goods		
		2.	For the purposes of item 8, each of that item applies:	ne following goods are good to which	
			a) theatrical costumes;		
			b) theatrical props made of meta	1.	

#### PART II

Part 2	By-law No.		Description of Goods	Start date/ End date
			Conditions	
8	<b>2300023</b> (Cont.)	3.	Item 8 applies to those goods covered by subsection (2) subject to all of the following conditions:	
O			(a) the goods are for use in theatrical representations;	
			(b) the goods are to be exported from Australia within six months of their importation or a further period specified in writing by a Collector;	
			(c) evidence of the exportation of the goods is provided to the Collector.	
		<u>Tradi</u>	itional costumes	
8	2300024	1.	This by-law may be cited as Customs By-law No. 2300024.	1/4/202
			Prescribed goods	
		2.	For the purposes of item 8, goods to which that item applies are tradition costumes that:	al
			(a) are authentic in design; and	
			(b) are made from traditional materials in the country of the tradition origin.	's
			Conditions	
		3.	Item 8 applies to those goods covered by subsection (2) subject to the condition that those goods are to be imported by groups established for the purpose of performing in those traditional costumes.	ne

#### PART II

R. 4				Part 2/9
Item	By-law No.		Description of Goods	Start date/ End date
		Goods offshor	for international bodies or persons or goods relating to e areas	
		<u>Item 9 – </u>	Goods of international organisations	
			or the official use of an international organisation or for the official or use of an official of such an international organisation	
9	2200404	1. Tl	his by-law may be cited as Customs By-law No. 2300104.	1/4/2023
9	2300104	Pr	rescribed goods	1/4/2023
		go	or the purposes of paragraph (a) of item 9, subject to subsection (3), goods owned by one of the following organisations at the time they are attered for home consumption are goods to which that item applies:	
		(a	) Australian-American Educational Foundation;	
		(b	Commission for the Conservation of Southern Bluefin Tuna.	
		3. Su	absection (2) does not apply to excise-equivalent goods.	
		go	or the purposes of paragraph (b) of item 9, subject to subsection (5), boods for which both of the following apply are goods to which that item opplies:	
		(a	The goods are furniture, personal or household effects;	
		(b	The goods are owned by an official of the Commission of the Conservation of Southern Bluefin tuna at the time they are entered for home consumption.	
		5. Su	absection (4) does not apply to goods:	
		(a	) That are excise-equivalent goods; or	
		(b	That are motor vehicles.	
		Co	onditions	
			em 9 applies to those goods covered by subsection (2) subject to the ondition that those goods are for the official use of that organisation.	
			em 9 applies to those goods covered by subsection (4) subject to both of e following conditions:	
		(a	The goods are for the official or personal use of the official; and	
			(Continued)	
				I

#### PART II

Part 2/10		OOTOMO TARIT AOT 1930	
Item	By-law No.	Description of Goods	Start date/ End date
9	<b>2300104</b> (Cont.)	<ul> <li>(b) The goods were imported within: <ol> <li>(i) the period of 12 months beginning 6 months before the day the official covered by subsection (4) first arrived in Australia; or</li> <li>(ii) if the Collector has approved a longer period – such other period as the Collector has approved in writing.</li> </ol> </li> </ul>	
		Goods for the European Space Agency for use in Agreed Activities	
9	2300108	1. This by-law may be cited as Customs By-law No. 2300108.	1/12/2022
		Prescribed goods	
		2. For the purposes of paragraph (c) of item 9, each of the following goods are goods to which that paragraph applies:	
		(a) Subject to subsection (3), goods that are owned or are intended to be owned by the European Space Agency at the time they are entered for home consumption;	
		<ul> <li>(b) Subject to subsection (4), goods for which all of the following apply: <ol> <li>the goods are personal or household effects;</li> <li>the goods are for the use of persons not ordinarily resident in Australia employed or engaged as staff, consultants or contractors by the European Space Agency;</li> <li>the goods are imported in connection with Agreed Activities.</li> </ol> </li> </ul>	
		3. Paragraph (2)(a) subject to the condition that those goods are equipment, materials, supplies or other property for use in connection with Agreed Activities.	
		4. Paragraph (2)(b) does not apply to goods:	
		(a) that are excise-equivalent goods; or	
		(b) that are motor vehicles.	
		Conditions	
		5. Paragraph (c) of item 9 applies to those goods covered by paragraph (2)(a) subject to the condition that those goods are equipment, materials, supplies or other property for use in connection with Agreed Activities.	
		6. Paragraph (c) of item 9 applies to those goods covered by paragraph (2)(b) subject to the condition that the goods were imported within:	
		(a) the period of 12 months beginning 6 months before the day the official covered by subsection (2)(b)(ii) first arrived in Australia; or	
		(Continued)	

#### PART II

R.4			OCCIONO TARRITACT 1990	Part 2/11
Item	By-law No.		Description of Goods	Start date/ End date
		(	b) if the Collector has approved a longer period –such other period as the Collector has approved in writing.	
9	2300108	Ι	Definitions	
	(Cont.)	7.	In this section:	
			Agreed Activities has the meaning given by Article 1 of the Agreement.	
			Agreement means the Agreement between the Government of Australia and the European Space Agency for a Co-operative Space Vehicle Tracking Program, done at Capetown on 5 October 2011.	
			Note: The Agreement is in Australian Treaty Series 2012 No. 29 ([2012] ATS 29) and could in 2023 be viewed in the Australian Treaties Librar on the AustLII website (http://www.austlii.edu.au).	у
			European Space Agency has the same meaning as in the Agreement.	
		Itom	10 – Goods of foreign governments	
			s the subject of inter-governmental agreement or arrangement that are for ficial use of foreign governments	
10	2300025	1.	This by-law may be cited as Customs By-law No. 2300025.	1/4/2023
			Prescribed goods	
		2.	For the purposes of item 10, goods to which that item applies are goods for which both of the following apply:	r
			(a) the goods are the subject of an agreement or arrangement between the Government of Australia and the government of another country; and	
			(b) the agreement or arrangement provides that the goods be allowed a free rate of customs duty upon importation into Australia.	
			Conditions	
		3.	Item 10 applies to those goods covered by subsection (2) subject to all of the following conditions:	
			(a) the goods are owned by the government of a country other than Australia at the time of entry for home consumption;	
			(b) the goods are for the official use of that government;	
			(c) the goods are not to be used for the purposes of trade.	

#### PART II

Item	D., I.,			
	No.	Sy-law Description of Goods No.  Goods approved by the Minister that are goods for the official use of foreign governments		Start date/ End date
10	2300026	1.	This by-law may be cited as Customs By-law No. 2300026.	1/4/2023
			Prescribed goods	
		2.	For the purposes of item 10, goods approved by the Minister before importation, are goods to which that item applies.	
			Conditions	
		3.	Item 10 applies to those goods covered by subsection (2) subject to all of the following conditions:	
			<ul> <li>(a) The Minister has approved, in writing, each of the following:</li> <li>(i) the kind of goods;</li> <li>(ii) the quantity of the goods;</li> <li>(iii) the uses of the goods;</li> </ul>	
			(b) the goods are owned by the government of a country other than Australia at the time of entry for home consumption;	
			(c) the goods are for the official use of that government;	
			(d) the goods are not to be used for the purposes of trade.	
		Status	s of Forces Agreement and Status of Visiting Forces Agreement provisions	
10	1700126	1.	This by-law may be cited as Customs By-law No. 1700126.	20/12/201
		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.	

#### PART II

R.4		CUSTOMS TARIFF ACT 1995	Part 2/13
Item	By-law No.	Description of Goods	Start date/ End date
		Item 11 – Goods for foreign forces	
		Goods 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	
11	2300027	1. This by-law may be cited as Customs By-law No. 2300027.	1/4/2023
	2000027	Prescribed goods	
		2. For the purposes of item 11, each of the following goods are goods to which that item applies:	
		(a) goods for sale by commissaries; and	
		(b) goods for use by, or for sale to, persons the subject of a Status of Forces Agreement between the Government of Australia and the government or another country.	
		Conditions	
		3. Item 11 applies to those goods covered by subsection (2) subject to the condition that those goods are not to be sold or otherwise disposed of by or on behalf of a person referred to in that subsection to a person not referred to in that subsection.	
		Goods for members etc. of a Malaysian Visiting Force	
11	2300037	1. This by-law may be cited as Customs By-law No. 2300037.	1/4/2023
		Prescribed goods	
		2. For the purposes of item 11, each of the following goods are goods to which that item applies:	
		<ul> <li>(a) personal effects, furniture and household goods of a member or dependant, other than any of the following goods: <ol> <li>(i) motor vehicles;</li> <li>(ii) cigarettes, cigars or tobacco;</li> <li>(iii) spirituous liquors;</li> </ol> </li> <li>(b) motor vehicles.</li> </ul>	
		Conditions	
		3. Item 11 applies to those goods covered by paragraph (2)(a) subject to all of the following conditions:	
		(a) the goods were imported during the period of six months beginning on the day a person covered by paragraph (2)(a) first arrived in Australia; and	
		(Continued)	

#### PART II

Part 2/14						
Item	By-law No.			Description of Goods	Start date/ End date	
11	2300037		(b)	the goods remain in the use, ownership and possession of the person;		
11	(Cont.)		(c)	the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within two years of the day the goods were imported, unless prior written approval has been obtained from the Collector.		
		4.		1 applies to the goods covered by paragraph (2)(b) subject to both of llowing conditions:		
			(a)	the motor vehicle was imported by a member; and		
			(b)	either subsection (5) or (6) apply in relation to the motor vehicle.		
		5.	This s	subsection applies in relation to a motor vehicle if:		
			(a)	the motor vehicle was owned and used outside Australia by the member during the period of six months ending on the day the member first departed for Australia; and		
			(b)	after it is imported into Australia, the motor vehicle remains in the use, ownership and possession of:  (i) the member; or (ii) with the written permission of the Collector, another member; during the period of two years beginning on the day the motor		
				vehicle was imported.		
		6.		subsection applies in relation to a motor vehicle if, after it is imported sustralia:		
			(a)	the motor vehicle remains in the ownership and possession of:  (i) the member; or  (ii) with the written permission of the Collector, another member; and		
			(b)	the motor vehicle is exported by the member within:  (i) three years of the day the motor vehicle is imported; or  (ii) if the Collector has approved a longer period – such longer period as the Collector has approved in writing.		
				(Continued)		

#### PART II

₹.4	Part 2/15					
ltem	By-law		Description of Goods	Start date/		
	No.			End date		
		Definitions				
11	2300037	7. In this secti	ion:			
	(Cont.)	and the Go	means the Agreement between the Government of Australia vernment of Malaysia concerning the Status of Forces, done at pur on 3 February 1997.			
		could	Agreement is in Australian Treaty Series 1999 No. 14 ([1999] ATS 14) and I in 2023 be viewed in the Australian Treaties Library on the AustLII website ://www.austlii.edu.au).			
		civilian con	mponent has the meaning given by Article 1 of the Agreement.			
		dependant	has the meaning given by Article 1 of the Agreement.			
		member mecomponent	eans a member of a Malaysian Visiting Force or of its civilian .			
		Visiting Fo	orce has the meaning given by Article 1 of the Agreement.			
		Goods for member	r etc. of a New Zealand Visiting Force			
	2300088	1. This by-lav	v may be cited as Customs By-law No. 2300088.	1/4/2023		
11		Prescribed	goods			
			poses of item 11, each of the following goods are goods to item applies:			
		de	risonal effects, furniture and household goods of a member or pendant, other than any of the following goods:  (i) motor vehicles;  (ii) cigarettes, cigars or tobacco;  (iii) spirituous liquors;  or vehicles.			
		Conditions				
			plies to those goods covered by paragraph (2)(a) subject to all wing conditions:			
		be	e goods were imported during the period of six months ginning on the day a person covered by paragraph (2)(a) first rived in Australia;			
			e goods remain in the use, ownership and possession of the rson;			
			,			

#### PART II

Part 2/16			COOTOMO TARREL AOT 1000	
Item	By-law No.		Description of Goods	Start date/ End date
11	2300088		(c) the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within two years of the day the goods were imported, unless prior written approval has been obtained from the Collector.	
	(Cont.)	4.	Item 11 applies to those goods covered by paragraph (2)(b) subject to both of the following conditions:	ı
			(a) the motor vehicle was imported by a member;	
			(b) either subsection (5) or (6) apply in relation to the motor vehicle.	
		5.	This subsection applies in relation to a motor vehicle if:	
			(a) the motor vehicle was owned and used outside Australia by the member during the period of three months ending on the day the member first departed for Australia; and	
			<ul> <li>(b) after it is imported into Australia, the motor vehicle remains in the use, ownership and possession of: <ol> <li>(i) the member; or</li> <li>(ii) with the written permission of the Collector, of another member;</li> <li>during the period of two years beginning on the day the motor vehicle was imported.</li> </ol> </li> </ul>	e
		6.	This subsection applies in relation to a motor vehicle if, after it is imported into Australia:	1
			<ul> <li>(a) the motor vehicle remains in the use, ownership and possession of: <ul> <li>(i) the member; or</li> <li>(ii) with the written permission of the Collector, of another member; and</li> </ul> </li> </ul>	
			<ul> <li>(b) the motor vehicle is exported by the member within:</li> <li>(i) two years of the day the motor vehicle is imported; or</li> <li>(ii) if the Collector has approved a longer period – such longer period as the Collector has approved in writing.</li> </ul>	
			Definitions	
		7.	In this section:	
			<b>Agreement</b> means the Agreement between the Government of Australia and the Government of New Zealand concerning the Status of their Forces done at Melbourne on 29 October 1998.	,
			Note: The Agreement is in Australian Treaty Series 2005 No. 12 ([2005] ATS 12) and could in 2023 be viewed in the Australian Treaties Library on the AustLII website (http://www.austlii.edu.au).  (Continued	)

#### PART II

R.4			CUSTOMS TARIFF ACT 1995	Part 2/17
Item	By-law No.		Description of Goods	Start date/ End date
		ci	vilian component has the meaning given by Article 1 of the Agreement.	
11	<b>2300088</b> (Cont.)	de	ependant has the meaning given by Article 1 of the Agreement.	
	(Cont.)		ember means a member of a Malaysian Visiting Force or of its civilian emponent.	
		Vi	isiting Force has the meaning given by Article 1 of the Agreement.	
		Goods for	r members etc. of a Papua New Guinea Visiting Force	
11	2300089	1. Th	nis by-law may be cited as Customs By-law No. 2300089.	1/4/2023
		Pr	rescribed goods	
			or the purposes of item 11, each of the following goods are goods to hich that item applies:	
		(a)	personal effects, furniture and household goods of a member or dependant, other than any of the following goods:  (i) motor vehicles;  (ii) cigarettes, cigars or tobacco;  (iii) spirituous liquors.	
		(b)	) motor vehicles.	
		Co	onditions	
			em 11 applies to those goods covered by paragraph (2)(a) subject to all the following conditions:	
		(a)	the goods were imported at the time of first arrival of a person covered by paragraph (2)(a) in Australia;	
		(b)	) the goods remain in the use, ownership and possession of the person; and	
		(c)	the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within two years of the day the goods were imported, unless prior written approval has been obtained from the Collector.	
			em 11 applies to those goods covered by paragraph (2)(b) subject to all the following conditions:	
		(a)	) the motor vehicle was imported by a member;	
		(b)	the motor vehicle was owned and used outside Australia by the member during the period of three months ending on the day the member first departed for Australia;	
			(Continued)	4/4/22

### PART II

Part 2	/18		CUSTOMS TARIFF ACT 1995	
Item	By-law No.		Description of Goods	Start date End date
			(c) the motor vehicle is not disposed of in Australia unless prior written approval has been obtained from the Collector.	
11	2300089 (Cont.)		<ul> <li>(d) the motor vehicle remains in the use, ownership and possession of:         <ul> <li>(i) the member; or</li> <li>(ii) with the written permission of the Collector, another member,</li> <li>during the period of two years beginning on the day the motor vehicle was imported.</li> </ul> </li> </ul>	
			Definitions	
		5.	In this section:	
			Agreement means the Agreement between Australia and Papua & New Guinea regarding the Status of Forces of each State in the Territory of the Other State, done at Port Moresby on 26 January 1977.	
			Note: The Agreement is in Australian Treaty Series 1977 No. 6 ([1977] ATS 6) and could in 2023 be viewed in the Australian Treaties Library on the AustLII website (http://www.austlii.edu.au).	I'
			civilian component has the meaning given by Article 1 of the Agreement.	
			dependant has the meaning given by Article 1 of the Agreement.	
			<i>member</i> means a member of a Papua New Guinea Visiting Force or of its civilian component.	
			Visiting Force has the meaning given by Article 1 of the Agreement.	
		Good	ls for members etc. of a Singapore Visiting Force	
		1.	This by-law may be cited as Customs By-law No. 2300090.	
11	2300090		Prescribed goods	1/4/2023
		2.	For the purposes of item 11, each of the following goods are goods to which that item applies:  (a) personal effects, furniture and household goods of a member or dependant, other than any of the following goods:  (i) motor vehicles; (ii) cigarettes, cigars or tobacco;	

	(ii) with the written permission of the Collector, another member, during the period of two years beginning on the day the motor vehicle was imported.	
	Definitions	
	5. In this section:	
	Agreement means the Agreement between Australia and Papua & New Guinea regarding the Status of Forces of each State in the Territory of the Other State, done at Port Moresby on 26 January 1977.	
	Note: The Agreement is in Australian Treaty Series 1977 No. 6 ([1977] ATS 6) and could in 2023 be viewed in the Australian Treaties Library on the AustLII website (http://www.austlii.edu.au).	
	civilian component has the meaning given by Article 1 of the Agreement.	
	dependant has the meaning given by Article 1 of the Agreement.	
	<i>member</i> means a member of a Papua New Guinea Visiting Force or of its civilian component.	
	Visiting Force has the meaning given by Article 1 of the Agreement.	
	Goods for members etc. of a Singapore Visiting Force	
	1. This by-law may be cited as Customs By-law No. 2300090.	
11 23000	90 Prescribed goods	1/4/2023
	<ul> <li>For the purposes of item 11, each of the following goods are goods to which that item applies:</li> <li>(a) personal effects, furniture and household goods of a member or dependant, other than any of the following goods: <ul> <li>(i) motor vehicles;</li> <li>(ii) cigarettes, cigars or tobacco;</li> <li>(iii) spirituous liquors.</li> </ul> </li> </ul>	
	(b) motor vehicles.	
	Conditions	
	3. Item 11 applies to those goods covered by paragraph (2)(a) subject to all of the following conditions:  (Continued)	
	(Continued)	1/4/23

#### PART II

Start date/			R.4
End date	Description of Goods	By-law No.	Item
	the goods were imported during the period of six months beginning on the day a person covered by paragraph (2)(a) first arrived in Australia;		
;	the goods remain in the use, ownership and possession of the person; and	<b>2300090</b> (Cont.)	11
y the	the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within two years of the day the goods were entered for home consumption, unless prior written approval has been obtained from the Collector.		
to both	m 11 applies to those goods covered by paragraph (2)(b) subject to both the following conditions:	4.	
	the motor vehicle was imported by a member; and		
ehicle.	either subsection (5) or (6) apply in relation to the motor vehicle.		
	is subsection applies in relation to a motor vehicle if:	5.	
	the motor vehicle was owned and used outside Australia by the member during the period of three months ending on the day the member first departed for Australia; and		
·	after it is imported into Australia, the motor vehicle remains in the use, ownership and possession of:  (i) the member; or  (ii) with the written permission of the Collector, another member;		
y for	during the period of two years beginning on the day of entry for home consumption of the motor vehicle.		
	is subsection applies in relation to a motor vehicle if:	6.	
	the motor vehicle remains in the use, ownership and possession of:  (i) the member; or (ii) with the written permission of the Collector, another member; and		
	<ul> <li>the motor vehicle is exported by the member within:</li> <li>(i) 12 months of the day the motor vehicle is entered for home consumption; or</li> <li>(ii) if the Collector has approved a longer period – such longer period as the Collector has approved in writing.</li> </ul>		
utinued)	(Continued)		
r	either subsection (5) or (6) apply in relation to the motor voice is subsection applies in relation to a motor vehicle if:  the motor vehicle was owned and used outside Australia by member during the period of three months ending on the damember first departed for Australia; and  after it is imported into Australia, the motor vehicle remains the use, ownership and possession of:  (i) the member; or  (ii) with the written permission of the Collector, another member; during the period of two years beginning on the day of entra home consumption of the motor vehicle.  is subsection applies in relation to a motor vehicle if:  the motor vehicle remains in the use, ownership and posses of:  (i) the member; or  (ii) with the written permission of the Collector, another member; and  the motor vehicle is exported by the member within:  (i) 12 months of the day the motor vehicle is entered for consumption; or  (ii) if the Collector has approved a longer period – such period as the Collector has approved in writing.		

#### PART II

Part 2			
Item	By-law No.	Description of Goods	Start date/ End date
		Definitions	
11	<b>2300090</b> (Cont.)	7. In this section:	
	(com)	Agreement means the Exchange of Notes constituting an Agreement between the Government of Australia and the Government of the Republic of Singapore concerning the Status of Forces, done at Singapore on 10 February 1988.	
		Note: The Agreement is in Australian Treaty Series 1988 No. 6 ([1988] ATS 6) and could in 2023 be viewed in the Australian Treaties Library on the AustLII website (http://www.austlii.edu.au).	
		civilian component has the same meaning as in the Agreement.	
		dependant has the same meaning as in the Agreement.	
		<i>member</i> means a member of a Singapore Visiting Force or of its civilian component.	
		Visiting Force has the same meaning as in the Agreement.	
		Goods for member etc. of a United States Force	
11	2300038	1. This by-law may be cited as Customs By-law No. 2300038.	1/4/20
		Prescribed goods	
		2. For the purposes of item 11, each of the following goods are goods to which that item applies:	
		<ul> <li>(a) the personal effects, furniture and household goods of a member or dependant, other than any of the following goods: <ol> <li>(i) motor vehicles;</li> <li>(ii) cigarettes, cigars or tobacco;</li> <li>(iii) spirituous liquors;</li> <li>(iv) goods covered by paragraph (c).</li> </ol> </li> <li>(b) motor vehicles;</li> <li>(c) goods that are: <ol> <li>(i) personal consumables;</li> <li>(ii) goods of a kind which when in use are worn or carried on the person;</li> <li>(iii) goods which are normally carried in hand baggage when travelling;</li> <li>(iv) unsolicited gifts sent by persons resident overseas in recognition or appreciation of an occasion or event. other than</li> <li>(v) Goods referred to in subparagraph (c)(i), (ii), (iii) or (iv) where the value of the goods exceeds 130USD;</li> <li>(vi) Goods referred to in subparagraph (a)(i), (ii) and (iii).</li> </ol> </li></ul>	
		(Continued)	
		(Continued)	

#### PART II

R.5			CUSTOMS TARIFF ACT 1995	Part 2/2
Item	By-law No.		Description of Goods	Start date/ End date
			Conditions	
11	2300038	3.	Item 11 applies to those goods covered by paragraph (2)(a) subject to all of the following conditions:	of
	(Cont.)		(a) the goods were imported during the period of six months beginning on the day a person covered by paragraph (2)(a) first arrived in Australia; and	o de la companya de l
			(b) the goods remain in the use, ownership and possession of the person; and	
			(c) the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within two years of the day the goods were imported into Australia, unless prior written approval has been obtained from the Collector.	r
		4.	Item 11 applies to those goods covered by paragraph (2)(b) subject to both of the following conditions:	h
			(a) the motor vehicle was imported by a member covered by paragraph (2)(a); and	
			(b) either subsection (5) or (6) apply in relation to the motor vehicle.	
		5.	This subsection applies in relation to a motor vehicle if:	
			(a) the motor vehicle was owned and used outside Australia by the member during the period of six months ending on the day the member first departed for Australia; and	
			<ul> <li>(b) after it is imported into Australia, the motor vehicle remains in the use, ownership and possession of: <ol> <li>(i) the member; or</li> <li>(ii) with the written permission of the Collector, another member covered by paragraph (2)(a);</li> <li>for two years after the date of importation.</li> </ol> </li> </ul>	ne
		6.	This subsection applies in relation to a motor vehicle if, after it is imported into Australia:	d
			<ul> <li>(a) the motor vehicle remains in the use, ownership and possession of: <ol> <li>(i) the member; or</li> <li>(ii) with the written permission of the Collector, another member covered by paragraph (2)(a); and</li> </ol> </li> </ul>	
			(b) the motor vehicle is exported by the member within:  (i) three years of the day the motor vehicle is imported; or  (ii) if the Collector has approved a longer period – such longer period as the Collector has approved in writing.  (Continued)	

#### PART II

Part 2	/22	COSTONIS TARIFF ACT 1995	
Item	By-law No.	Description of Goods	Start date/ End date
		7. Item 11 applies to those goods covered by paragraph (2)(c) subject to the conditions that those goods are imported from the United States through military post offices by the member or dependant.	
11	<b>2300038</b> (Cont.)	Definitions	
		8. In this section:	
		Agreement means the Agreement between the Government of the Commonwealth of Australia and the Government of the United States of America concerning the Status of United States Forces in Australia, and Protocol, done at Canberra on 9 May 1963.	
		Note: The Agreement is in Australian Treaty Series 1963 No. 10 ([1963] ATS 10) and could in 2023 be viewed in the Australian Treaties Library on the AustLII website (http://www.austlii.edu.au).	
		dependant has the meaning given by Article 1 of the Agreement.	
		member means:	
		(a) a member of the United States Forces (within the meaning of Article 1 of the Agreement); or	
		(b) a member of the civilian component (within the meaning of Article 1 of the Agreement).	
		military post office means a U.S. postal establishment located in:	
		<ul> <li>(a) Alice Springs, Northern Territory; or</li> <li>(b) Canberra, Australian Capital Territory; or</li> <li>(c) Darwin, Northern Territory; or</li> <li>(d) Melbourne, Victoria; or</li> <li>(e) North West Cape, Western Australia; or</li> <li>(f) St Peters, New South Wales; or</li> <li>(g) Woomera, South Australia</li> </ul>	
		(g) Woomera, South Australia  USD means United States Dollar.	
		Goods for member etc. of a French Republic Visiting Force	
11	2300039	1. This by-law may be cited as Customs By-law No. 2300039.	1/4/2023
		Prescribed goods	
		2. For the purposes of item 11, each of the following goods are goods to which that item applies:	
		(Continued)	

#### PART II

R.4			Part 2/2
Item	By-law No.	Description of Goods	Start date/ End date
11	2300039 (Cont.)	<ul> <li>(a) personal effects, furniture and household goods of a member or dependant, other than any of the following goods: <ol> <li>(i) motor vehicles;</li> <li>(ii) cigarettes, cigars or tobacco;</li> <li>(iii) spirituous liquors;</li> </ol> </li> <li>(b) motor vehicles.</li> </ul>	
		Conditions	
		3. Item 11 applies to those goods covered by paragraph (2)(a) subject to all of the following conditions:	
		(a) the goods were imported during the period of six months beginning on the day a person covered by paragraph (2)(a) first arrived in Australia to take up service in Australia;	
		(b) the goods remain in the use, ownership and possession of the person;	
		(c) the goods will not be transferred, sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia unless prior written approval has been obtained from the Collector.	
		4. Item 11 applies to the goods covered by paragraph (2)(b) subject to the condition that the goods imported by the member will not be transferred, sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia unless prior written approval has been obtained from the Collector.	
		Definitions	
		5. In this section:	
		Agreement means the Agreement between the Government of Australia and the Government of the French Republic regarding Defence Cooperation and Status of Forces, done at Paris on 14 December 2006.	
		Note: The Treaty is in Australian Treaty Series 2009 No. 18 ([2009] ATS 18) and could in 2023 be viewed in the Australia Treaties Library on the AustLII website (http://www.austlii.edu.au).	
		civilian component has the meaning given in Article 1 of the Agreement.	
		dependant has the meaning given in Article 1 of the Agreement.	
		<i>member</i> means a member of a French Republic Visiting Force or of its civilian component.	
		Visiting Force has the meaning given in Article 1 of the Agreement.	

#### **PART II**

Part 2	/24	CUSTOMS TARIFF ACT 1995	
Item	By-law No.	Description of Goods	Start date/ End date
		Goods for members etc. of a Japan Visiting Force	
<b>*</b> 11	2300138	1. This by-law may be cited as Customs By-law No. 2300138.	13/8/2023
		Prescribed goods	
		2. For the purposes of item 11, each of the following goods are goods to which that item applies:	
		<ul> <li>(a) personal effects, furniture and household goods of a member other than any of the following goods: <ul> <li>(i) motor vehicles;</li> <li>(ii) cigarettes, cigars or tobacco;</li> <li>(iii) alcoholic beverages;</li> </ul> </li> <li>(b) a motor vehicle.</li> </ul>	
		Conditions	
		3. Item 11 applies to those goods covered by subsection (2) subject to the following conditions:	
		(a) the goods were imported during the period of six months beginning on the day a person covered by paragraph (2)(a) first arrived in Australia;	
		(b) the goods remain in the use, ownership and possession of the person; and	
		(c) the goods will not be disposed of in Australia, other than by transfer to another member, unless prior written approval has been obtained from the Collector;	
		(d) if the goods are motor vehicles covered by subsection (2)(b) - no more than one motor vehicle is imported by a member.	
		Definitions	
		4. In this section:	
		Agreement means the Agreement between Australia and Japan concerning the facilitation of reciprocal access and cooperation between the Australian Defence Force and the Self-Defense Forces of Japan, done at Canberra and Tokyo on 6 January 2022.	
		Note: The Agreement could in 2023 be viewed in the Australian Treaties Library on the AustLII website (http://www.austlii.edu.au).	
		civilian component has the same meaning as in the Agreement.	
		<i>member</i> means a member of a Japan Visiting Force or of its civilian component.	
		Visiting Force has the same meaning as in the Agreement.	

#### PART II

R.5		Т	Part 2/2	
tem	By-law No.	Description of Goods	Start date/ End date	
		<u>Item 12 – Trade Commissioner goods</u>		
		Goods for the use of a Trade Commissioner of any country		
12	2300040	1. This by-law may be cited as Customs By-law No. 2300040.	1/4/2023	
		Prescribed goods		
		<ul> <li>2. For the purposes of item 12, goods, other than the following goods, are goods to which that item applies:</li> <li>(a) alcoholic beverages;</li> <li>(b) tobacco products;</li> <li>(c) motor vehicles;</li> <li>(d) aircraft;</li> <li>(e) seacraft.</li> </ul> Conditions		
		3. Item 12 applies to those goods covered by paragraph (2)(a) subject to the condition that, at the time they are entered for home consumption, the goods are for the official use of a Trade Commissioner of any country.		
		Item 13 – Goods subject to the Torres Strait Treaty		
		Goods for use by traditional inhabitants under the Torres Strait Treaty in the performance of traditional activities in, or in the vicinity of, the Protected Zone		
	2200041	2200041	1. This by-law may be cited as Customs By-law No. 2300041.	1/4/2023
13	2300041	Prescribed goods	1/4/2025	
		2. For the purposes of item 13, goods to which that item applies are goods for the use by traditional inhabitants of the area covered by the Torres Strait Treaty in the performance of traditional activities in the Protected Zone or in an area in the vicinity of the Protected Zone.		
		Conditions		
		3. Item 13 applies to those goods covered by subsection (2) subject to the condition that the goods are imported by traditional inhabitants of the area covered by the Torres Strait Treaty.		
		Definitions		
		4. In this section:		
		<i>area in the vicinity of the Protected Zone</i> means the area bounded by the line commencing at the point of Latitude 10°30′S, Longitude 144°10′E, and running:		
		(Continued)		

#### PART II

Part	2/26	7,1,11,1,1,1,1,1,1,1,1,1,1,1,1,1,1,1,1,	
Item	By-law No.	Description of Goods	Start date/ End date
		(a) from there west along the parallel of Latitude 10°30'S to its intersection with the meridian of Longitude 141°20'E; and	
13	<b>2300041</b> (Cont.)	(b) from there north along that meridian to its intersection with the parallel of Latitude 10°28′S; and	
		(c) from there east along that parallel to its intersection with the meridian of Longitude 144°10′E; and	
		(d) from there south along that meridian to the point of commencement.	
		<b>Protected Zone</b> means the zone established under Article 10 of the Torres Strait Treaty, being the area bounded by the line described in Annex 9 to that Treaty.	
		traditional activities includes the following activities:	
		(a) activities on land, including gardening, collection of food and hunting;	
		(b) activities on water, including traditional fishing;	
		(c) religious and secular ceremonies or gatherings for social purposes, for example, marriage celebrations and settlements of disputes;	
		(d) barter and market trade.	
		<i>traditional inhabitant</i> means an Australian citizen who is a Torres Strait Islander that:	
		(a) lives in the Protected Zone or the adjacent coastal area of Australia and	;
		(b) maintains traditional customary associations with areas or features in, or in the vicinity of, the Protected Zone, in relation to their subsistence or livelihood or social, cultural or religious activities.	
		<i>Torres Strait Treaty</i> means the Treaty between Australia and the Independent State of Papua New Guinea concerning Sovereignty and Maritime Boundaries in the area between the two Countries, including the area known as Torres Strait, and Related Matters, done at Sydney on 18 December 1978.	
		Note: The Treaty is in Australian Treaty Series 1985 No. 4 ([1985] ATS 4) and could in 2023 be viewed in the Australian Treaties Library on the AustLII website (http://www.austlii.edu.au).	

#### PART II

R.6		CUSTOMS TARIFF ACT 1995	Part 2/27
Item	By-law No.	Description of Goods	Start date/ End date
		Item 14 – Goods for use in a petroleum activity in the Timor Sea	
		Goods for use in a petroleum activity in the Timor Sea	
14	1900564	1. This by-law may be cited as Customs By-law No. 1900564.	30/8/2019
	1500501	2. For the purposes of item 14 of Schedule 4 to the Customs Tariff Act 1995, subject to paragraph 3, goods for use in an activity that is one of the Petroleum Activities within the meaning of the Timor Sea Maritime Boundaries Treaty and takes place in an area mentioned in item 14 are prescribed.	
		3. Paragraph 2 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).	
		Goods that are personal effects	
		Item 15 – Personal effects for passengers and ship or aircraft crew	
		Goods imported by a member of the forces of Canada or the United Kingdom	
15	2300091	1. This by-law may be cited as Customs By-law No. 2300091.	1/4/2023
		Prescribed goods	
		2. For the purposes of item 15, motor vehicles are goods to which that item applies.	
		Conditions	
		3. Item 15 applies to those goods covered by subsection (2) subject to the following conditions:	
		(a) the motor vehicle was imported by a member of the forces (the relevant forces) of:	
		<ul><li>(i) Canada; or</li><li>(ii) The United Kingdom; and</li></ul>	
		(b) either of subsection (4) or (5) apply in relation to the motor vehicle.	
		4. This subsection applies in relation to a motor vehicle if:	
		(a) the motor vehicle was owned and used outside of Australia by the member of the relevant forces during the period of six months ending on the day the member first departed for Australia; and (Continued)	

#### PART II

Part	2/28	COOTOMO TANTI AOT 1000	
Item	By-law No.	Description of Goods	Start date/ End date
15	<b>2300091</b> (Cont.)	<ul> <li>(b) the motor vehicle remains in the use, ownership and possession of: <ul> <li>(i) the member of the relevant forces; or</li> <li>(ii) with the permission of a Collector, another member of the relevant forces;</li> <li>during the period of two years beginning on the day after the motor vehicle was imported.</li> </ul> </li> </ul>	
		5. This subsection applies in relation to a motor vehicle if:	
		<ul> <li>(a) the motor vehicle is for the personal use of:</li> <li>(i) the member of the relevant forces; or</li> <li>(ii) with the written permission of the Collector, another member of the relevant forces; and</li> </ul>	
		<ul> <li>(b) the motor vehicle is exported within:</li> <li>(i) three years after the day the motor vehicle is imported; or</li> <li>(ii) if the Collector has approved a longer period - such longer period as the Collector has approved in writing.</li> </ul>	
		Definitions 6. In this section:	
		<i>Member of the Forces of Canada</i> means a person belonging to the land, sea or air armed services of that country temporarily serving in Australia under arrangements agreed on by the Government of Australia and the Government of Canada.	
		<i>Member of the Forces of the United Kingdom</i> 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 Government of the United Kingdom.	
		<u>Unaccompanied personal effects</u>	
15	1700581	1. This by-law may be cited as Customs By-law No. 1700581.	1/2/201
	1.0001	2. This by-law takes effect on and from 1 February 2018.	
		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.	
		<ul> <li>The application of item 15 to the goods in the Table are subject to:</li> <li>(a) paragraph 5; and</li> <li>(b) the exceptions and conditions, if any, set out in Column 2 opposite those goods.</li> </ul>	
		(Continued)	

#### PART II

R.6				Part 2/2
Item	By-law No.		Description of Goods	Start date/ End date
		5.	The goods must:	
			(a) not be commercial goods; and	
			(b) be personal goods.	
15	1700581 (Cont.)	6.	In this by-law:	
	(com.)		adult means a person 18 years or over;	
			arriving person means a passenger or crew member who was on board a	
			ship or aircraft which arrived in Australia from a place outside Australia;	
			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 <i>Australian</i>	
			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 <i>Migration</i>	
			Act 1958 (as amended from time to time);	
			commercial goods means goods that:	
			(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;	
			<ul><li>family means:</li><li>(a) 2 people who are married, and any of their children who are under</li></ul>	
			the age of 18 years; or	
			(b) a person and his or her <i>de facto</i> partner (within the meaning of the	
			Acts Interpretation Act 1901), and any of their children who are under the age of 18 years;	
			personal goods means goods that:	
			(a) are the property of an arriving person; and	
			(b) are suitable, and are intended, for use by the arriving person;	
			but do not include motor vehicles or motor vehicle parts;	
			tobacco products mean cigarettes, cigars or other products containing tobacco;	
			used in relation to the expression "personally 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.	
			(Continued)	

#### PART II

Item	By-law No.	Description of Goods		Start date End date
15	1700581 (Cont.)	Column 1 Goods  (1) Goods, as follows:  (a) personal clothing of all kinds including footwear;  (b) articles for personal hygiene or grooming.  (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	TABLE  Column 2 Exceptions and Conditions  (1) The goods must be imported by an arriving resident.  (2) Except fur apparel and perfume concentrates.  (1) The goods must be imported by an arriving person.  (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 have:  (a) arrived in Australia with the intention of immediately taking up or resuming permanent residence; and  (b) 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 group (c), they will 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.	End date
		transmissions.	(Continued)	