



# **Customs Tariff (Anti-Dumping) Act 1975**

**Act No. 76 of 1975 as amended**

This compilation was prepared on 10 July 2008  
taking into account amendments up to Act No. 73 of 2008

The text of any of those amendments not in force  
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be  
affected by application provisions that are set out in the Notes section

Prepared by the Office of Legislative Drafting and Publishing,  
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## Contents

1	Short title [ <i>see</i> Note 1].....	1
2	Commencement [ <i>see</i> Note 1].....	1
6	Incorporation .....	1
7	Imposition of duties of Customs .....	1
8	Dumping duties .....	1
9	Third country dumping duties .....	5
10	Countervailing duties.....	7
11	Third country countervailing duties.....	10
12	Interim duty not to exceed security taken .....	13
16	Duties to be charged separately .....	13
21	Special duties to be additional to ordinary duties .....	13
	<b>Notes</b>	15



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# An Act relating to certain Special Duties of Customs

## 1 Short title [see Note 1]

This Act may be cited as the *Customs Tariff (Anti-Dumping) Act 1975*.

## 2 Commencement [see Note 1]

This Act shall come into operation on the day on which it receives the Royal Assent.

## 6 Incorporation

The *Customs Act 1901* (in this Act referred to as the Customs Act) is incorporated and shall be read as one with this Act.

## 7 Imposition of duties of Customs

Duties of Customs are imposed in accordance with this Act.

## 8 Dumping duties

- (1) This section does not apply to goods that are New Zealand originating goods under Division 1E of Part VIII of the *Customs Act 1901*.
- (2) There is imposed, and there must be collected and paid, on goods:
  - (a) to which this section applies by virtue of a notice under subsection 269TG(1) or (2) of the Customs Act; and
  - (b) in relation to which the amount of the export price is less than the amount of the normal value;a special duty of Customs, to be known as dumping duty, calculated in accordance with subsection (6).
- (3) Pending final assessment of the dumping duty payable on goods the subject of a notice under subsection 269TG(1) or (2) of the Customs Act, an interim dumping duty is payable on those goods.

- (4) Subject to subsection (5), the interim dumping duty payable on goods the subject of a notice under subsection 269TG(1) or (2) of the Customs Act is an amount equal to the sum of:
- (a) the difference between the export price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the notice and the normal value of goods of that kind as so ascertained, or last so ascertained; and
  - (b) if the export price of those particular goods is lower than the export price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the notice—the amount by which the latter export price exceeds the former.
- (5) The Minister must, by signed notice, direct that the element of interim dumping duty referred to in paragraph (4)(a) in respect of particular goods be ascertained:
- (a) as a proportion of the export price of those particular goods or of the export price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the dumping duty notice, whichever is the greater; or
  - (b) by reference to a measure of the quantity of those particular goods; or
  - (c) by reference to a combination of a proportion of the kind referred to in paragraph (a) and a measure of the quantity of those particular goods;
- and the notice has effect accordingly.
- (5A) The Minister must, in exercising his or her powers under subsection (5) in respect of particular goods the subject of a notice under subsection 269TG(1) or (2) of the Customs Act, if the non-injurious price of goods of that kind as ascertained or last ascertained by the Minister for the purposes of the notice is less than the normal value of goods of that kind as so ascertained, or last so ascertained, have regard to the desirability of fixing a lesser amount of duty such that the sum of:
- (a) the export price of goods of that kind as so ascertained or last so ascertained; and
  - (b) that lesser duty;
- does not exceed that non-injurious price.

- (5B) If, in the circumstances specified in section 269TJA of the Customs Act, both a notice under section 269TG of that Act and a notice under section 269TJ of that Act are published at the same time and in respect of the same goods, the Minister must, in exercising his or her powers under subsection (5) in relation to interim dumping duty in respect of the goods, have regard to the desirability of fixing the amount of interim dumping duty in respect of the goods such that the sum of:
- (a) the export price of those particular goods; and
  - (b) the amount of the interim dumping duty as so fixed; and
  - (c) the amount of interim countervailing duty as fixed under section 10;
- does not exceed the non-injurious price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of those notices.
- (5C) If the Minister signs a notice under subsection (5), the Minister must cause a copy of that notice to be published in the *Gazette* unless, in the opinion of the Minister, the publication of that notice would adversely affect the business or commercial interests of any person.
- (5D) A notice under subsection (5) applies to goods entered for home consumption on or after a day specified in the notice, which may be earlier than the day of publication of the notice but may not be a day on which an earlier notice under that subsection applied to the goods.
- (6) The dumping duty payable on goods the subject of a notice under subsection 269TG(1) or (2) of the Customs Act is an amount equal to:
- (a) unless paragraph (b) applies—the difference between the amounts that the Minister ascertains to be the export price and the normal value of those particular goods; or
  - (b) if, in a notice under subsection (5), the Minister determines that the whole or a part of the interim dumping duty payable on those particular goods is to be ascertained by reference to the non-injurious price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the first-mentioned notice—the difference between:
    - (i) the amount that the Minister ascertains to be the export price of those particular goods; and

- (ii) the lower of the amount that the Minister ascertains to be the normal value of those particular goods and that non-injurious price.
- (7) The Minister may, by notice in writing, exempt goods from interim dumping duty and dumping duty if he or she is satisfied:
  - (a) that like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade;
  - (b) that a Tariff Concession Order under Part XVA of the *Customs Act 1901* in respect of the goods is in force;
  - (c) that:
    - (i) where the goods are goods to which section 8 of the *Customs Tariff Act 1995* applies—the item in Schedule 4 to that Act that applies to the goods is expressed to apply to goods, or to a class or kind of goods, as prescribed by by-law; and
    - (ii) suitably equivalent goods the produce or manufacture of Australia are not reasonably available;
  - (d) that:
    - (i) the tariff classification in Schedule 3 to that Act that applies to the goods is such that no duty is payable in respect of the goods or the duty payable in respect of the goods is at a rate equivalent to a rate payable under Schedule 4 on the goods; and
    - (ii) suitably equivalent goods the produce or manufacture of Australia are not reasonably available; or
  - (e) that the goods, being articles of merchandise, are for use as samples for the sale of similar goods.
- (8) Where the Minister exempts goods from interim dumping duty and dumping duty under subsection (7) by reason of his or her being satisfied as to a matter specified in paragraph (7)(a), (c) or (d), the instrument of exemption shall be published in the *Gazette*.
- (9) In this section, a reference to a Tariff Concession Order includes a reference to a Commercial Tariff Concession Order made under Part XVA of the Customs Act as in force before section 10 of the *Customs Legislation (Tariff Concessions and Anti-Dumping) Amendment Act 1992* commences.



## 9 Third country dumping duties

- (1) This section does not apply to goods that are New Zealand originating goods under Division 1E of Part VIII of the *Customs Act 1901*.
- (2) There is imposed, and there must be collected and paid, on goods:
  - (a) to which this section applies by virtue of a notice under subsection 269TH(1) or (2) of the Customs Act; and
  - (b) in relation to which the amount of the export price is less than the amount of the normal value;a special duty of Customs, to be known as third country dumping duty, calculated in accordance with subsection (6).
- (3) Pending final assessment of the third country dumping duty payable on goods the subject of a notice under subsection 269TH(1) or (2) of the Customs Act, an interim third country dumping duty is payable on those goods.
- (4) Subject to subsection (5), the interim third country dumping duty payable on goods the subject of a notice under subsection 269TH(1) or (2) of the Customs Act is an amount equal to the sum of:
  - (a) the difference between the export price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the notice and the normal value of goods of that kind as so ascertained, or last so ascertained; and
  - (b) if the export price of those particular goods is lower than the export price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the notice—the amount by which the latter export price exceeds the former.
- (5) The Minister must, by signed notice, direct that the element of interim third country dumping duty referred to in paragraph (4)(a) in respect of particular goods be ascertained:
  - (a) as a proportion of the export price of those particular goods or of the export price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the dumping duty notice, whichever is the greater; or
  - (b) by reference to a measure of the quantity of those particular goods; or

- (c) by reference to a combination of a proportion of the kind referred to in paragraph (a) and a measure of the quantity of those particular goods;  
and the notice has effect accordingly.
- (5A) The Minister must, in exercising his or her powers under subsection (5) in respect of particular goods the subject of a dumping duty notice under subsection 269TH(1) or (2) of the Customs Act, if the non-injurious price of goods of that kind as ascertained or last ascertained by the Minister for the purposes of the notice is less than the normal value of goods of that kind as so ascertained, or last so ascertained, have regard to the desirability of fixing a lesser amount of duty such that the sum of:
- (a) the export price of goods of that kind as so ascertained or last so ascertained; and
  - (b) that lesser duty;
- does not exceed that non-injurious price.
- (5B) If the Minister signs a notice under subsection (5), the Minister must cause a copy of that notice to be published in the *Gazette* unless, in the opinion of the Minister, the publication of that notice would adversely affect the business or commercial interests of any person.
- (5C) A notice under subsection (5) applies to goods entered for home consumption on or after a day specified in the notice, which may be earlier than the day of publication of the notice but may not be a day on which an earlier notice under that subsection applied to the goods.
- (6) The third country dumping duty payable on goods the subject of a notice under subsection 269TH(1) or (2) of the Customs Act is an amount equal to:
- (a) unless paragraph (b) applies—the difference between the amounts that the Minister ascertains to be the export price and the normal value of those particular goods; or
  - (b) if, in a notice under subsection (5), the Minister determines that the whole or a part of the interim third country dumping duty payable on those particular goods is to be ascertained by reference to the non-injurious price of goods of that kind as ascertained, or last ascertained, by the Minister for the

purpose of the first-mentioned notice—the difference between:

- (i) the amount that the Minister ascertains to be the export price of those particular goods; and
  - (ii) the lower of the amount that the Minister ascertains to be the normal value of those particular goods and that non-injurious price.
- (7) The Minister may, by notice in writing, exempt goods from interim third country dumping duty and third country dumping duty if he or she is satisfied:
- (a) that like or directly competitive goods are not offered or sold in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade; or
  - (c) that the goods, being articles of merchandise, are for use as samples for the sale of similar goods.
- (8) Where the Minister exempts goods from the interim third country dumping duty and third country dumping duty under subsection (7) by reason of his or her being satisfied as to a matter specified under paragraph (7)(a), the instrument of exemption shall be published in the *Gazette*.

## **10 Countervailing duties**

- (1) There is imposed, and there must be collected and paid, on goods:
- (a) to which this section applies by virtue of a notice under subsection 269TJ(1), (2), (4), (5) or (6) of the Customs Act; and
  - (b) if the goods are goods to which this section applies by virtue of a notice under subsection 269TJ(1) or (2)—in relation to which a countervailable subsidy is received;
- a special duty of Customs, to be known as countervailing duty.
- (2) The countervailing duty on goods to which this section applies is to be calculated in accordance with subsection (3E).
- (3) Pending final assessment of the countervailing duty payable on goods the subject of a notice under subsection 269TJ(1) or (2) of the Customs Act of the Customs Act, an interim countervailing duty is payable on those goods.

- (3A) Subject to subsection (3B), the interim countervailing duty payable on goods the subject of a notice under subsection 269TJ(1) or (2) of the Customs Act is an amount equal to the countervailable subsidy in respect of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the notice.
- (3B) The Minister must, by signed notice, direct that the interim countervailing duty in respect of particular goods to which this section applies by virtue of a declaration under subsection 269TJ(1) or (2) of the Customs Act be ascertained:
- (a) as a proportion of the export price of those particular goods; or
  - (b) by reference to a measure of the quantity of those particular goods; or
  - (c) by reference to a combination of a proportion of the export price of those particular goods and a measure of the quantity of those particular goods;
- and the notice has effect accordingly.
- (3C) The Minister must, in exercising his or her powers under subsection (3B) in respect of particular goods the subject of a notice under subsection 269TJ(1) or (2) of the Customs Act, if the non-injurious price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the notice is less than the sum of:
- (a) the countervailable subsidy in respect of goods of that kind as so ascertained, or last so ascertained; and
  - (b) the export price of those particular goods;
- have regard to the desirability of fixing a lesser amount of duty such that the sum of the export price of those particular goods and the lesser duty does not exceed that non-injurious price.
- (3D) If, in the circumstances specified in section 269TJA of the Customs Act, both a notice under section 269TJ of that Act and a notice under section 269TG of that Act are published at the same time and in respect of the same goods, the Minister must, in exercising his or her powers under subsection (3B) in relation to interim countervailing duty in respect of the goods, have regard to the desirability of fixing the amount of interim countervailing duty in respect of the goods such that the sum of:
- (a) the export price of those particular goods; and

- (b) the amount of the interim countervailing duty as so fixed; and
  - (c) the amount of interim dumping duty as fixed under section 8;does not exceed the non-injurious price of goods of that kind, as ascertained, or last ascertained, by the Minister for the purpose of those notices.
- (3E) The countervailing duty payable on goods the subject of a notice under subsection 269TJ(1) or (2) of the Customs Act is an amount equal to:
  - (a) unless paragraph (b) applies—the countervailable subsidy in respect of those particular goods; or
  - (b) if, in a notice under subsection (3B), the Minister determines that the interim countervailing duty payable on those particular goods is to be ascertained by reference to the non-injurious price of goods of that kind—the difference between:
    - (i) the amount that the Minister ascertains to be the export price of those particular goods; and
    - (ii) the lower of the sum of the amounts that the Minister ascertains to be the export price of, and the countervailable subsidy in respect of, those particular goods and the non-injurious price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the notice under subsection 269TJ(1) or (2).
- (5B) Where the Minister signs a notice under subsection (3B), the Minister shall cause a copy of that notice to be published in the *Gazette* unless in the opinion of the Minister, the publication of that notice would adversely affect the business or commercial interests of any person.
- (6) A notice under subsection (3B) applies to goods entered for home consumption on or after a day specified in the notice, which may be earlier than the day of publication of the notice but may not be a day on which an earlier notice under that subsection applied to the goods.

- (8) The Minister may, by notice in writing, exempt goods from interim countervailing duty or countervailing duty if he or she is satisfied:
- (a) that like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade;
  - (aa) that a Tariff Concession Order under Part XVA of the *Customs Act 1901* in respect of the goods is in force;
  - (b) that:
    - (i) where the goods are goods to which section 8 of the *Customs Tariff Act 1995* applies—the item in Schedule 4 to that Act that applies to the goods is expressed to apply to goods, or to a class or kind of goods, as prescribed by by-law; and
    - (ii) suitably equivalent goods the produce or manufacture of Australia are not reasonably available;
  - (c) that:
    - (i) the tariff classification in Schedule 3 to that Act that applies to the goods is such that no duty is payable in respect of the goods or the duty payable in respect of the goods is at a rate equivalent to a rate payable under Schedule 4 on the goods; and
    - (ii) suitably equivalent goods the produce or manufacture of Australia are not reasonably available; or
  - (d) that the goods, being articles of merchandise, are for use as samples for the sale of similar goods.
- (9) Where the Minister exempts goods from interim countervailing duty or countervailing duty under subsection (8) because he or she is satisfied as to a matter specified in paragraphs (8)(a), (b) and (c), the instrument of exemption shall be published in the *Gazette*.
- (10) In this section, a reference to a Tariff Concession Order includes a reference to a Commercial Tariff Concession Order made under Part XVA of the Customs Act as in force before section 10 of the *Customs Legislation (Tariff Concessions and Anti-Dumping) Amendment Act 1992* commences.

## 11 Third country countervailing duties

- (1) There is imposed, and there must be collected and paid, on goods:
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- (a) to which this section applies by virtue of a notice under subsection 269TK(1) or (2) of the Customs Act; and
  - (b) in relation to which a countervailable subsidy is received;
- a special duty of Customs, to be known as third country countervailing duty, calculated in accordance with subsection (7).
- (2) Pending final assessment of the third country countervailing duty payable on goods the subject of a notice under subsection 269TK(1) or (2) of the Customs Act, an interim third country countervailing duty is payable on those goods.
- (3) Subject to subsection (4), the interim third country countervailing duty payable on goods the subject of a notice under subsection 269TK(1) or (2) of the Customs Act is an amount equal to the countervailable subsidy in respect of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the notice.
- (4) The Minister must, by signed notice, direct that the interim countervailing duty in respect of particular goods to which this section applies by virtue of a notice under subsection 269TK(1) or (2) of the Customs Act be ascertained:
  - (a) as a proportion of the export price of those particular goods; or
  - (b) by reference to a measure of the quantity of those particular goods; or
  - (c) by reference to a combination of a proportion of the export price of those particular goods and a measure of the quantity of those particular goods;and the notice has effect accordingly.
- (5) The Minister must, in exercising his or her powers under subsection (4) in respect of particular goods the subject of a notice under subsection 269TK(1) or (2) of the Customs Act, if the non-injurious price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the notice is less than the sum of:
  - (a) the countervailable subsidy as so ascertained, or last so ascertained; and
  - (b) the export price of those particular goods;

have regard to the desirability of fixing a lesser amount of duty such that the sum of the export price of those particular goods and the lesser duty does not exceed that non-injurious price.

- (6) If the Minister signs a notice under subsection (4), the Minister must cause a copy of that notice to be published in the *Gazette* unless, in the opinion of the Minister, the publication of that notice would adversely affect the business or commercial interests of any person.
- (7) The third country countervailing duty payable on goods the subject of a notice under subsection 269TK(1) or (2) of the Customs Act is an amount equal to:
- (a) unless paragraph (b) applies—the countervailable subsidy in respect of those particular goods; or
  - (b) if, in a notice under subsection (4), the Minister determines that the interim countervailing duty payable on those particular goods is to be ascertained by reference to the non-injurious price of goods of that kind—the difference between:
    - (i) the amount that the Minister ascertains to be the export price of those particular goods; and
    - (ii) the lower of the sum of the amounts that the Minister ascertains to be the export price of, and the countervailable subsidy in respect of, those particular goods and the non-injurious price of goods of that kind as ascertained, or last ascertained, by the Minister for the purpose of the notice under subsection 269TK(1) or (2).
- (7A) A notice under subsection (4) applies to goods entered for home consumption on or after a day specified in the notice, which may be earlier than the day of publication of the notice but may not be a day on which an earlier notice under that subsection applied to the goods.
- (7B) If the Minister has determined, under subsection 269TK(3) of the Customs Act, the amount of any countervailable subsidy in respect of goods to which this section applies by virtue of a notice under subsection 269TK(1) or (2) of that Act, that amount is to be taken to be the amount of that countervailable subsidy for the purposes of this section.



- (8) The Minister may, by notice in writing, exempt goods from interim third country countervailing duties third country countervailing duty if he or she is satisfied:
- (a) that like or directly competitive goods are not offered or sold in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade; or
  - (b) that the goods, being articles of merchandise, are for use as samples for the sale of similar goods.
- (9) Where the Minister exempts goods from interim third country countervailing duties third country countervailing duty under subsection (8) because he or she is satisfied as to a matter specified under paragraph (8)(a), the instrument of exemption shall be published in the *Gazette*.

## **12 Interim duty not to exceed security taken**

If:

- (a) a security has been taken under section 42 of the *Customs Act 1901* in respect of interim duty that may become payable under section 8, 9, 10 or 11 of this Act in respect of goods imported into Australia; and
  - (b) the amount of interim duty that would be so payable under section 8, 9, 10 or 11 of this Act would, but for the operation of this section, exceed the amount of the security taken;
- the interim duty payable is equal to the amount of security taken.

## **16 Duties to be charged separately**

The several duties imposed by this Act shall be separately charged, notwithstanding that more than one duty applies to any particular goods.

## **21 Special duties to be additional to ordinary duties**

The special duties of Customs payable under this Act are in addition to such other duties of Customs (if any) as are payable under any other Act.



**Table of Acts****Notes to the *Customs Tariff (Anti-Dumping) Act 1975*****Note 1**

The *Customs Tariff (Anti-Dumping) Act 1975* as shown in this compilation comprises Act No. 76, 1975 amended as indicated in the Tables below.

All relevant information pertaining to application, saving or transitional provisions prior to 14 May 1999 is not included in this compilation. For subsequent information *see* Table A.

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Customs Tariff (Anti-Dumping) Act 1975</i>	76, 1975	20 June 1975	20 June 1975	
<i>Customs Tariff (Anti-Dumping) Amendment Act 1981</i>	66, 1981	12 June 1981	10 July 1981	S. 14
<i>Customs Tariff (Anti-Dumping) Amendment (Off-shore Installations) Act 1982</i>	53, 1982	16 June 1982	14 July 1982 (see s. 2)	—
<i>Customs Tariff (Anti-Dumping) Amendment (Countervailing Duties) Act 1982</i>	68, 1982	24 Aug 1982	21 Sept 1982	—
<i>Customs Tariff (Anti-Dumping) Amendment Act 1982</i>	114, 1982	22 Nov 1982	1 Jan 1983 (see s. 2 and <i>Gazette</i> 1982, No. S274, p. 3)	S. 5
<i>Customs Tariff (Anti-Dumping) Amendment Act (No. 2) 1982</i>	136, 1982	23 Dec 1982	24 Nov 1982	—
<i>Customs Tariff (Anti-Dumping) Amendment Act 1983</i>	20, 1983	14 June 1983	1 July 1983 (see s. 2 and <i>Gazette</i> 1983, No. S136, p. 3)	—
<i>Statute Law (Miscellaneous Provisions) Act (No. 2) 1983</i>	91, 1983	22 Nov 1983	S. 3: 20 Dec 1983 (a)	—
<i>Customs Tariff (Anti-Dumping) Amendment Act 1984</i>	1, 1984	14 Mar 1984	14 Mar 1984	—

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Customs Administration (Transitional Provisions and Consequential Amendments) Act 1985</i>	39, 1985	29 May 1985	10 June 1985 (see s. 2 and <i>Gazette</i> 1985, No. S194)	S. 4
<i>Customs Tariff (Miscellaneous Amendments) Act 1987</i>	76, 1987	5 June 1987	1 Jan 1988 (see s. 2 and <i>Gazette</i> 1987, No. S351)	S. 10(2) (am. by 141, 1987, s. 3)
<b>as amended by</b>				
<i>Statute Law (Miscellaneous Provisions) Act 1987</i>	141, 1987	18 Dec 1987	S. 3: 1 Jan 1988 (see <i>Gazette</i> 1987, No. S351) (b)	—
<i>Customs Tariff (Anti-Dumping) Amendment Act 1988</i>	69, 1988	15 June 1988	Ss. 1 and 2: 15 June 1988 Ss. 4(a) and 5: 15 Oct 1987 Remainder: 1 Sept 1988 (see s. 2(3) and <i>Gazette</i> 1988, No. S217)	S. 17
<i>Customs Tariff (Anti-Dumping) Amendment Act 1989</i>	173, 1989	20 Dec 1989	Ss. 1 and 2: Royal Assent Remainder: 21 Dec 1989 (see <i>Gazette</i> 1989, No. S395)	S. 9
<i>Trade Practices (Misuse of Trans-Tasman Market Power) Act 1990</i>	70, 1990	16 June 1990	1 July 1990 (see <i>Gazette</i> 1990, No. S172)	—
<i>Customs Tariff (Anti-Dumping) Amendment Act 1992</i>	90, 1992	30 June 1992	10 July 1992 (see <i>Gazette</i> 1992, No. S187)	—
<i>Customs Tariff (Anti-Dumping) Amendment Act (No. 2) 1992</i>	206, 1992	21 Dec 1992	Ss. 1 and 2: Royal Assent Remainder: 1 Jan 1993 (see s. 2(2) and <i>Gazette</i> 1992, No. S403)	S. 8
<b>as amended by</b>				
<i>Statute Law Revision Act 1996</i>	43, 1996	25 Oct 1996	Schedule 3 (item 18): 21 Dec 1992 (c)	—
<i>Customs Tariff (Anti-Dumping) (World Trade Organization Amendments) Act 1994</i>	151, 1994	13 Dec 1994	Ss. 4–7: 1 Jan 1995 (see s. 2(4) and <i>Gazette</i> 1994, No. S471) Remainder: Royal Assent	S. 3
<i>Customs Tariff (Miscellaneous Amendments) Act 1996</i>	15, 1996	24 June 1996	1 July 1996 (d)	—

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Customs Tariff (Anti-Dumping) Amendment Act 1998</i>	80, 1998	2 July 1998	24 July 1998 (see s. 2 and <i>Gazette</i> 1998, No. GN29)	—
<i>Customs Tariff (Anti-Dumping) Amendment Act (No. 1) 1999</i>	27, 1999	14 May 1999	Schedule 1 (items 2, 4, 6, 7, 9): Royal Assent Remainder: 1 Jan 1993	Sch. 1 (item 10) [see Table A]
<i>Customs Legislation Amendment (New Zealand Rules of Origin) Act 2006</i>	166, 2006	12 Dec 2006	1 Jan 2007	Sch 1 (item 22(1) [see Table A]
<i>Statute Law Revision Act 2008</i>	73, 2008	3 July 2008	Schedule 4 (items 243–246): 4 July 2008	—

## Act Notes

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- (a) The *Customs Tariff (Anti-Dumping) Act 1975* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 2) 1983*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act shall come into operation on the twenty-eighth day after the day on which it receives the Royal Assent.
- (b) The *Customs Tariff (Miscellaneous Amendments) Act 1987* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act 1987*, subsection 2(11) of which provides as follows:
- (11) The amendments of the *Customs Tariff (Miscellaneous Amendments) Act 1987* made by this Act shall come into operation on the commencement of the first-mentioned Act.
- (c) The *Customs Tariff (Anti-Dumping) Amendment Act (No. 2) 1992* was amended by Schedule 3 (item 18) only of the *Statute Law Revision Act 1996*, subsection 2(3) of which provides as follows:
- (3) Each item in Schedule 3 is taken to have commenced when the Act containing the provision amended by the item received the Royal Assent.
- (d) Section 2 of the *Customs Tariff (Miscellaneous Amendments) Act 1996* provides as follows:
2. This Act commences on 1 July 1996 immediately after the commencement of the *Customs Tariff Act 1995*.

**Table of Amendments****Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

Provision affected	How affected
S. 3 .....	rep. No. 173, 1989 ad. No. 206, 1992 rep. No. 151, 1994
S. 3A .....	ad. No. 39, 1985 rep. No. 69, 1988
S. 4 .....	am. No. 66, 1981; No. 53, 1982; No. 1, 1984; No. 39, 1985; No. 69, 1988 rep. No. 173, 1989
Ss. 4AA–4AC .....	ad. No. 53, 1982 rep. No. 69, 1988
S. 4A .....	ad. No. 66, 1981 am. No. 1, 1984; No. 39, 1985; No. 69, 1988 rep. No. 173, 1989
S. 5 .....	am. No. 66, 1981; No. 1, 1984; No. 39, 1985; No. 69, 1988 rep. No. 173, 1989
S. 5AA .....	ad. No. 69, 1988 rep. No. 173, 1989
S. 5A .....	ad. No. 1, 1984 rep. No. 173, 1989
S. 6 .....	am. No. 66, 1981
S. 8 .....	am. No. 66, 1981; Nos. 114 and 136, 1982; No. 20, 1983; No. 1, 1984; No. 39, 1985; No. 76, 1987; No. 69, 1988; No. 173, 1989; No. 70, 1990; Nos. 90 and 206, 1992; No. 15, 1996; No. 27, 1999; No. 166, 2006; No. 73, 2008
S. 9 .....	am. No. 66, 1981; No. 136, 1982; No. 91, 1983; No. 1, 1984; No. 39, 1985; No. 69, 1988; No. 173, 1989; No. 70, 1990; No. 206, 1992 (as am. by No. 43, 1996); No. 27, 1999; No. 166, 2006; No. 73, 2008
S. 10 .....	am. No. 66, 1981; Nos. 68, 114 and 136, 1982; No. 20, 1983; No. 1, 1984; No. 39, 1985; No. 76, 1987; No. 69, 1988; No. 173, 1989; Nos. 90 and 206, 1992; No. 151, 1994; No. 15, 1996; No. 80, 1998; No. 27, 1999
S. 11 .....	am. No. 66, 1981; No. 136, 1982; No. 1, 1984; No. 39, 1985; No. 69, 1988; No. 173, 1989; No. 206, 1992; No. 151, 1994; No. 27, 1999
S. 11A .....	ad. No. 66, 1981 rep. No. 173, 1989
S. 12 .....	am. No. 66, 1981 rep. No. 173, 1989 ad. No. 151, 1994
Ss. 12A, 12B .....	ad. No. 69, 1988 rep. No. 173, 1989
S. 13 .....	am. No. 66, 1981 rep. No. 173, 1989
S. 14 .....	am. No. 68, 1982 rep. No. 136, 1982

## Table of Amendments

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ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

Provision affected	How affected
S. 15 .....	am. No. 66, 1981; No. 1, 1984 rep. No. 69, 1988
S. 17 .....	am. No. 39, 1985 rep. No. 173, 1989
Ss. 18, 19 .....	rep. No. 173, 1989
S. 20 .....	am. No. 39, 1985; No. 69, 1988 rep. No. 173, 1989
S. 22 .....	ad. No. 69, 1988 rep. No. 173, 1989



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**Table A**

**Table A**

**Application, saving or transitional provisions**

*Customs Tariff (Anti-Dumping) Amendment Act (No. 1) 1999* (No. 27, 1999)

**Schedule 1**

**10 Saving provisions**

- (1) Any dumping duty imposed, and any dumping duty or interim dumping duty collected, as a result of a notice given by the Minister under subsection 269TG(1) or (2) or 269TH(1) or (2) of the *Customs Act 1901* (the *Customs Act*) on or after 1 January 1993 is taken, for all purposes, to have been so imposed or collected in accordance with the *Customs Tariff (Anti-Dumping) Act 1975* as amended by this Act.
- (2) Any countervailing duty imposed, and any countervailing duty or interim countervailing duty collected, as a result of a notice given by the Minister under subsection 269TJ(1) or (2) or 269TK(1) or (2) of the *Customs Act* on or after 1 January 1993 is taken, for all purposes, to have been imposed or collected in accordance with the provisions of the *Customs Tariff (Anti-Dumping) Act 1975* as amended by this Act.
- (3) In this item:  

*dumping duty* and *countervailing duty* have the same meanings as in Part XVB of the *Customs Act*.

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*Customs Legislation Amendment (New Zealand Rules of Origin) Act 2006*  
(No. 166, 2006)

**Schedule 1**

**22 Application**

- (1) The amendments made by items 1 and 3 to 17 apply in relation to goods imported into Australia on or after 1 January 2007.