



# Customs Tariff (Anti-Dumping) Amendment (Off-shore Installations) Act 1982

No. 53 of 1982

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## An Act to amend the *Customs Tariff (Anti-Dumping) Act 1975*

[Assented to 16 June 1982]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

### Short title, &c.

1. (1) This Act may be cited as the *Customs Tariff (Anti-Dumping) Amendment (Off-shore Installations) Act 1982*.

(2) The *Customs Tariff (Anti-Dumping) Act 1975*<sup>1</sup> is in this Act referred to as the Principal Act.

### Commencement

2. This Act shall come into operation, or shall be deemed to have come into operation, as the case requires, on the twenty-eighth day after the day on which the *Off-shore Installations (Miscellaneous Amendments) Act 1982* receives the Royal Assent.

### Interpretation

3. Section 4 of the Principal Act is amended by omitting from sub-section (1) the definition of "importer" and substituting the following definition:

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“ ‘importer’, in relation to goods exported to Australia, means—

- (a) in a case to which paragraph (b) does not apply—the beneficial owner of the goods at the time of their arrival within the limits of the port or airport in Australia at which they are landed;
- (b) in the case of goods taken from parts beyond the seas to an Australian installation or goods on board an overseas installation at the time when it is attached to the Australian seabed—the beneficial owner of the goods at the time when they are imported into Australia; or
- (c) in the case of goods being an overseas installation that becomes attached to the Australian seabed—the beneficial owner of the installation at the time when it is imported into Australia.”.

4. After section 4 of the Principal Act the following section is inserted:

**Certain off-shore installations to be part of Australia**

“4AA. (1) For the purposes of this Act, where an overseas installation becomes attached to the Australian seabed, the installation shall, subject to sub-section (4), be deemed to be part of Australia.

“(2) For the purposes of this Act, an installation that, at the commencement of this sub-section, is attached to the Australian seabed shall, subject to sub-section (4), be deemed to be part of Australia.

“(3) For the purposes of this Act, an installation (other than an installation that is deemed by sub-section (1) to be part of Australia) that becomes attached to the Australian seabed shall, subject to sub-section (4), be deemed to be part of Australia.

“(4) An installation that is deemed to be part of Australia by virtue of the operation of this section shall, for the purposes of this Act, cease to be part of Australia if—

- (a) the installation is detached from the Australian seabed, or from another installation that is attached to the Australian seabed, for the purpose of being taken to a place outside the outer limits of Australian waters (whether or not the installation is to be taken to a place in Australia before being taken outside those outer limits); or
- (b) after having been detached from the Australian seabed otherwise than for the purpose referred to in paragraph (a), the installation is moved for the purpose of being taken to a place outside the outer limits of Australian waters (whether or not the installation is to be taken to a place in Australia before being taken outside those outer limits).

**Installations and goods deemed to be imported**

“4AB. (1) Where an overseas installation (not being an installation referred to in sub-section (2)) becomes attached to the Australian seabed, the installation and any goods on the installation at the time when it becomes so

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attached shall, for the purposes of this Act, be deemed to have been exported to Australia and to have been imported into Australia at the time when the installation becomes so attached.

“(2) Where an overseas installation—

(a) is brought to a place in Australia; and

(b) is to be taken from that place into Australian waters for the purpose of becoming attached to the Australian seabed,

the installation and any goods on the installation at the time when it is brought to that place shall, for the purposes of this Act, be deemed to have been exported to Australia and to have been imported into Australia at the time when the installation is brought to that place.

**Goods taken to installations**

“4AC. Where goods are taken from parts beyond the seas on to an Australian installation, the goods shall, for the purposes of this Act, be deemed to have been exported to Australia and to have been imported into Australia upon being taken on to the installation.”

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**NOTE**

1. No. 76, 1975, as amended. For previous amendments, see No. 66, 1981.