



Customs (International Obligations) Amendment (China-Australia Free Trade Agreement) Regulation 2015

Select Legislative Instrument No. 210, 2015

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd),
Governor-General of the Commonwealth of Australia, acting with the
advice of the Federal Executive Council, make the following regulation.

Dated 26 November 2015

Peter Cosgrove
Governor-General

By His Excellency's Command

Peter Dutton
Minister for Immigration and Border Protection

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1 Name

This is the *Customs (International Obligations) Amendment (China-Australia Free Trade Agreement) Regulation 2015*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	28 November 2015
2. Schedule 1	At the same time as Schedule 1 to the <i>Customs Amendment (China-Australia Free Trade Agreement Implementation) Act 2015</i> commences.	20 December 2015

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Customs Act 1901*.

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4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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Schedule 1—Amendments

Customs (International Obligations) Regulation 2015

1 Section 4 (after paragraph (c) of the definition of *Certificate of Origin*)

Insert:

- (ca) in relation to Chinese originating goods—has the meaning given by subsection 153ZOB(1) of the Act; or

2 Section 4

Insert:

Chinese originating goods has the meaning given by subsection 153ZOB(1) of the Act.

3 Section 4 (definition of *Declaration of Origin*)

Repeal the definition, substitute:

Declaration of Origin:

- (a) in relation to Chinese originating goods—has the meaning given by subsection 153ZOB(1) of the Act; or
- (b) in relation to Malaysian originating goods—has the meaning given by subsection 153ZLB(1) of the Act.

4 Section 23 (at the end of the table)

Add:

13	Chinese originating goods	Duty has been paid on the goods.
14	Goods that would have been Chinese originating goods if, at the time the goods were imported, the importer held:	Both of the following apply:
	(a) a Certificate of Origin, or a Declaration of Origin, for the goods; or	(a) duty has been paid on the goods;
	(b) a copy of a document mentioned in paragraph (a)	(b) the importer holds a Certificate of Origin, or a Declaration of Origin, for the goods, or a copy of either of those documents, at the time of making the application for the refund.

5 At the end of section 24

Add:

; or (g) the goods mentioned in item 13 or 14 of the table in section 23 are Chinese originating goods.

6 Subsection 31(2) (paragraph (a) of the definition of *duty payable*)

Omit “or 11”, substitute “, 11 or 13”.

7 Subsection 31(2) (paragraph (b) of the definition of *duty payable*)

Omit “or 12”, substitute “, 12 or 14”.

8 Subsection 31(2) (at the end of the definition of *relevant originating goods*)

Add:

; (g) Chinese originating goods.