



# **Customs (International Obligations) Amendment (Anti-Dumping) Regulation 2015**

## **Select Legislative Instrument No. 240, 2015**

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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 10 December 2015

Peter Cosgrove  
Governor-General

By His Excellency's Command

Peter Dutton  
Minister for Immigration and Border Protection

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*OPC61736 - A*



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## Contents

1	Name .....	1
2	Commencement .....	1
3	Authority .....	1
4	Schedules.....	1
<b>Schedule 1—Amendments</b>		<b>2</b>
	<i>Customs (International Obligations) Regulation 2015</i>	2



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## 1 Name

This is the *Customs (International Obligations) Amendment (Anti-Dumping) 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.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. The whole of this instrument	The day after this instrument is registered.	16 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Note: This table relates only to the provisions of this instrument as originally made.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*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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No. 240, 2015

*Customs (International Obligations) Amendment (Anti-Dumping) Regulation 2015*

1

OPC61736 - A

## Schedule 1—Amendments

### *Customs (International Obligations) Regulation 2015*

#### **1 After paragraph 23(b)**

Insert:

; (c) both of the following apply:

- (i) interim dumping duty or dumping duty (within the meaning of section 269T of the Act) has been paid on goods;
- (ii) at the time that duty was paid, the goods were exempt from interim dumping duty and dumping duty because of an instrument of exemption made under subsection 8(7) or 9(7) of the *Customs Tariff (Anti-Dumping) Act 1975* (whether the instrument was made before or after the time that duty was paid);

(d) both of the following apply:

- (i) interim countervailing duty or countervailing duty (within the meaning of section 269T of the Act) has been paid on goods;
- (ii) at the time that duty was paid, the goods were exempt from that duty because of an instrument of exemption made under subsection 10(8) or 11(8) of the *Customs Tariff (Anti-Dumping) Act 1975* (whether the instrument was made before or after the time that duty was paid).

#### **2 Section 23 (note)**

Omit “Note”, substitute “Note 1”.

#### **3 Section 23 (after the note)**

Insert:

Note 2: An instrument of exemption mentioned in subparagraph (c)(ii) or (d)(ii) may take effect on a day specified in the instrument that is earlier or later than the day the instrument is made. However, if an application for exemption was made, the day specified in the instrument must not be earlier than the day the application was made.

#### **4 At the end of Part 9**

Add:

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2 *Customs (International Obligations) Amendment (Anti-Dumping) Regulation 2015* No. 240, 2015

OPC61736 - A

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**51 Amendments made by the Customs (International Obligations)  
Amendment (Anti-Dumping) Regulation 2015**

The amendment made by item 1 of Schedule 1 to the *Customs (International Obligations) Amendment (Anti-Dumping) Regulation 2015* applies in relation to an application for the refund of duty under Part 5 of this instrument in relation to a circumstance mentioned in paragraph 23(c) or (d) of this instrument (as the case requires), if the circumstance consists of:

- (a) payment of duty on goods before, on or after the day that Regulation commenced; and
- (b) the exemption of the goods from that duty because of an instrument of exemption made on or after 2 November 2015 under subsection 8(7), 9(7), 10(8) or 11(8) of the *Customs Tariff (Anti-Dumping) Act 1975* (whether the instrument was made before or after the time that duty was paid).