



Customs (International Obligations) Amendment (Peru-Australia Free Trade Agreement Implementation) Regulations 2019

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 12 December 2019

David Hurley
Governor-General

By His Excellency's Command

Jason Wood
Assistant Minister for Customs, Community Safety and Multicultural Affairs
Parliamentary Secretary to the Minister for Home Affairs

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1 Name

This instrument is the *Customs (International Obligations) Amendment (Peru-Australia Free Trade Agreement Implementation) Regulations 2019*.

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. | 18 December 2019 |
| 2. Schedule 1 | At the same time as Schedule 1 to the <i>Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Act 2019</i> commences. | 11 February 2020 |

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Customs (International Obligations) Regulation 2015

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

Insert:

- (fa) in relation to Peruvian originating goods—has the meaning given by subsection 153ZIM(1) of the Act; or

2 Section 4

Insert:

Peruvian originating goods has the meaning given by subsection 153ZIM(1) of the Act.

3 Section 23 (after table item 2)

Insert:

| | | |
|----|---|---|
| 2A | Peruvian originating goods | Duty has been paid on the goods. |
| 2B | Goods that would have been Peruvian originating goods if, at the time the goods were imported, the importer held a Certificate of Origin or a copy of a Certificate of Origin for the goods | Both of the following apply: (a) duty has been paid on the goods; (b) the importer holds a Certificate of Origin or a copy of a Certificate of Origin for the goods at the time of making the application for the refund. |

4 After paragraph 24(a)

Insert:

- (ab) the goods mentioned in item 2A or 2B of the table in section 23 are Peruvian originating goods; or

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

After “1,” insert “2A,”.

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

After “2,” insert “2B,”.

7 Subsection 31(2) (after paragraph (a) of the definition of *relevant originating goods*)

Insert:

- (ab) Peruvian originating goods;