



Customs (International Obligations) Amendment (Regional Comprehensive Economic Partnership Agreement Implementation) Regulations 2021

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 28 October 2021

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 (Regional Comprehensive Economic Partnership Agreement Implementation) Regulations 2021*.

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. The whole of this instrument	The later of: (a) the day after this instrument is registered; and (b) the day on which Schedule 1 to the <i>Customs Amendment (Regional Comprehensive Economic Partnership Agreement Implementation) Act 2021</i> commences.	1 January 2022 (paragraph (b) applies)

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Insert:

RCEP originating goods has the meaning given by subsection 153ZQB(1) of the Act.

2 Section 23 (at the end of the table)

Add:

17	RCEP originating goods	Duty has been paid on the goods.
18	Goods that would have been RCEP originating goods if, at the time the goods were imported, the importer held a Proof of Origin (within the meaning of subsection 153ZQB(1) of the Act), or a copy of one, for the goods	Both of the following apply: (a) duty has been paid on the goods; (b) the importer holds a Proof of Origin (within the meaning of subsection 153ZQB(1) of the Act), or a copy of one, for the goods at the time of making the application for the refund.

3 At the end of section 24

Add:

; or (i) the goods mentioned in item 17 or 18 of the table in section 23 are RCEP originating goods.

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

Omit “or 15”, substitute “, 15 or 17”.

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

Omit “or 16”, substitute “, 16 or 18”.

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

Add:

; (i) RCEP originating goods.