

Customs Amendment (2022 Harmonized System Changes and Other Measures) 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 16 December 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 Amendment (2022 Harmonized System Changes and Other Measures) 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 | 1 January 2022. | 1 January 2022 |

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Regulation 2015

1 Clause 1 of Schedule 1 (table item 1)

Repeal the item, substitute:

|  |  |
| --- | --- |
| 1 | 2203.00.63 |
| 1A | 2203.00.64 |
| 1B | 2203.00.65 |
| 1C | 2203.00.66 |
| 1D | 2203.00.67 |

2 Clause 1 of Schedule 1 (table items 30 and 31)

Repeal the items, substitute:

|  |  |
| --- | --- |
| 30 | 2206.00.72 |
| 31 | 2206.00.73 |
| 31A | 2206.00.76 |
| 31B | 2206.00.77 |

3 Clause 1 of Schedule 1 (after table item 32)

Insert:

|  |  |
| --- | --- |
| 32A | 2206.00.79 |

4 Clause 1 of Schedule 1 (after table item 60)

Insert:

|  |  |
| --- | --- |
| 60A | 2404.11.00 |

5 Clause 2 of Schedule 1 (table items 1 and 2)

Repeal the items, substitute:

|  |  |
| --- | --- |
| 1 | 2203.00.63 |
| 2 | 2203.00.64 |
| 2A | 2203.00.65 |
| 2B | 2203.00.66 |
| 2C | 2203.00.67 |

6 Clause 2 of Schedule 1 (table items 49 and 50)

Repeal the items, substitute:

|  |  |
| --- | --- |
| 49 | 2206.00.72 |
| 50 | 2206.00.73 |
| 50A | 2206.00.76 |
| 50B | 2206.00.77 |

7 Clause 2 of Schedule 1 (after table item 51)

Insert:

|  |  |
| --- | --- |
| 51A | 2206.00.79 |

8 Clause 2 of Schedule 1 (after table item 80)

Insert:

|  |  |
| --- | --- |
| 80A | 2404.11.00 |

9 Subclause 1(1) of Schedule 3 (cell at table item 22, column headed “AHECC subheading”)

Repeal the cell, substitute:

|  |
| --- |
| 2403.91.10 |

10 Subclause 1(1) of Schedule 3 (cell at table item 23, column headed “AHECC subheading”)

Repeal the cell, substitute:

|  |
| --- |
| 2403.99.90 |

11 Subclause 1(1) of Schedule 3 (at the end of the table)

Add:

|  |  |  |
| --- | --- | --- |
| 24 | 2404.11.10 | Products intended for inhalation without combustion, containing tobacco or reconstituted tobacco |
| 25 | 2404.19.90 | Products intended for inhalation without combustion, not containing tobacco, reconstituted tobacco or nicotine |

12 Clause 1 of Schedule 9 (table item 23, column headed “Tariff heading or tariff subheading”)

Omit “9401.30.00”, substitute “9401.31.00”.

13 Subclause 2(1) of Schedule 9 (table item 1, column 1)

Omit “0308.99.00”, substitute “0309.90.00”.

14 Subclause 2(1) of Schedule 9 (table item 5, column 1)

Omit “2403”, substitute “2404”.

15 Subclause 2(1) of Schedule 9 (table item 5, column 2, at the end of paragraph (d))

Add “, where the preparations, tablets or gum does not contain tobacco”.

16 Subclause 2(1) of Schedule 9 (table item 28, column 1)

Omit “9021.10.41 and”.

17 Subclause 2(1) of Schedule 9 (cell at table item 31, column 1)

Repeal the cell, substitute:

|  |
| --- |
| 9401.91.00 and 9401.99.90 |

18 Subclause 2(1) of Schedule 9 (cell at table item 34, column 1)

Repeal the cell, substitute:

|  |
| --- |
| 9403.91.00 and 9403.99.00 |

19 Subclause 2(1) of Schedule 9 (cell at table item 35, column 1)

Repeal the cell, substitute:

|  |
| --- |
| 9405.11.00 and 9405.19.00 |

20 Subclause 2(1) of Schedule 9 (cell at table item 36, column 1)

Repeal the cell, substitute:

|  |
| --- |
| 9405.21.00 and 9405.29.00 |

21 Subclause 2(1) of Schedule 9 (cell at table item 37, column 1)

Repeal the cell, substitute:

|  |
| --- |
| 9405.41.00, 9405.42.00 and 9405.49.00 |

22 Subclause 2(1) of Schedule 9 (cell at table item 44, column 1)

Repeal the cell, substitute:

|  |
| --- |
| 9701.22.00, 9701.29.00, 9701.92.00 and 9701.99.00 |