



AUSTRALIAN CUSTOMS AND BORDER PROTECTION NOTICE NO. 2011/42

Closure of the Automotive Competitiveness and Investment Scheme

The Automotive Competitiveness and Investment Scheme (ACIS) is a government assistance program for the automotive industry, administered by AusIndustry Division of the Department of Innovation, Industry, Science and Research. While the scheme ended on 31 December 2010 the *ACIS Administration Act 1999* (ACIS Act) provides participants with a further twelve months in which to apply ACIS credits against duty payable, or paid, on eligible imported goods.

ACIS participants are therefore reminded that all ACIS credits expire on 31 December 2011 and that no further application to use credits after this date will be accepted by Customs and Border Protection.

Until 31 December 2011, importers with ACIS credits can continue to apply them to offset duty, or receive a refund of duty already paid, on imported goods where those goods meet the eligibility requirements of Item 41E of Schedule 4 of the *Customs Tariff Act 1995*. The ACIS Act directs that the credits will have no value after this date.

Any remaining unused credit balance will be removed in the Integrated Cargo System (ICS) from 1 January 2012. From that date, regulation 126(1)(z) of the *Customs Regulations 1926* (Customs Regulations) will also no longer be a valid reason for seeking to claim a refund of customs duty.

Where ACIS credits were applied on an import declaration before 31 December 2011 and an amendment to that declaration is required after 31 December 2011, importers are advised to contact Customs and Border Protection (details listed below). As these import declarations quote instruments that are no longer valid under legislation, any proposed amendment will need to be handled on a case by case basis.

Where the amendment of the declaration is being sought for a refund of duty, other than under regulation 126(1)(z) that was previously offset by the use of ACIS credits, importers will be able to continue to rely upon subsection 163(3) of the *Customs Act 1901* as to the amount of that refund. Where a relevant refund circumstance and the conditions set out in the Customs Regulations are met, an importer will be eligible to receive a cash refund of the amount of duty previously offset by the use of ACIS credits.

The Government announced in November 2008 that the assistance provided under ACIS would be transitioned to a better targeted, greener program known as the Automotive Transformation Scheme (ATS) which is scheduled to run for ten years. This scheme commenced on 1 January 2011. AusIndustry administer the scheme and provide cash payments directly to ATS participants; Customs and Border Protection has no involvement in ATS. Further information on ATS can be found at the AusIndustry website:

[http://www.ausindustry.gov.au/Manufacturing/ATS/Pages/AutomotiveTransformationScheme\(ATS\).aspx](http://www.ausindustry.gov.au/Manufacturing/ATS/Pages/AutomotiveTransformationScheme(ATS).aspx)

If you require further information on how Customs and Border Protection will administer the finalisation of ACIS credits please contact the Manager, Trade Revenue and Indirect Tax Policy on 02 6275 6551 or send an email to TradeRevenuePolicy@customs.gov.au.

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CANBERRA ACT
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