



AUSTRALIAN CUSTOMS AND BORDER PROTECTION NOTICE NO. 2011/17

Cheese and Curd Quota Scheme – Allocations for 2011-2012

In early June 2011, the Australian Customs and Border Protection Service will contact cheese quota holders as part of its work on quota allocations for 2011-2012.

The calculation of an importer's forthcoming allocation is based on the actual use of quota by that importer in the 23-month period ending 31 May 2011, as shown in Customs' records of Import Declarations lodged between **01 July 2009 and 31 May 2011**.

We remind importers that quotas are allocated for a particular financial year. To use the quota allocated, importers are required to 'enter for home consumption' their imported cheese or curd by the end of the financial year to which the allocation relates, that is, by 30 June of that year. Where cheese or curd importations are of Australian origin (returned Australian goods), or a free rate of duty is provided under Schedule 3 of the *Customs Tariff Act 1995*, preference circumstances, or a Free Trade Agreement (FTA), quota cannot be used.

The cheese or curd is 'entered for home consumption' if:

- (a) an entry for home consumption for the goods is lodged with Customs; **and**
- (b) the vessel or aircraft carrying the cheese or curd has arrived at the first Australian port or airport at which any cargo is intended to be discharged.

If an importer does not meet these conditions by the end of the particular financial year to which the quota relates, the goods are 'entered for home consumption'

- under quota for the following financial year (if the importer has sufficient quota for that year), or
- without concession at the rate of Customs duty applicable to the relevant subheading of Schedule 3 of the Customs Tariff Act.

Please note that:

- The quota calculation excludes any part of the quota transferred to another importer during the 23-month period or that remains unused at **31 May 2011**.
- Quota used during the month of June 2010 will be taken into consideration for allocation 2012-2013, but will NOT count in computations for 2013-2014. This June 'factor' is repetitive for every annual allocation because of the 31 May import performance cut-off for calculation of following years' allocations.

At this time of the year, quota users and their brokers should take stock of quota balances with a view to maximising usage and consequently maximising their next allocation.

We will publish the final allocation in the *Commonwealth of Australia: Tariff Concessions Gazette* in July 2011.

Where you anticipate quota usage shortfalls, there is an option to transfer allocations between importers. You can apply for a transfer by completing a Transfer of Base Quota (Cheese and Curd) form (form B235) and submitting it to:

Director Tariff Concessions
Australian Customs and Border Protection Service
Customs House
5 Constitution Avenue
CANBERRA CITY ACT 2601

We deal with transfer requests in order of receipt and each request may take up to four working days to process. The transfer form is available on the Customs website www.customs.gov.au under Media Publications and Forms.

To facilitate efficient administration of the annual allocation, we urge importers and brokers to notify Customs and Border Protection of any changes to company details such as addresses, phone, email, fax and principal contact person.

You may direct any enquiries concerning this notice to Tariff Concessions on telephone (02) 6275 6483, or email tarcon@customs.gov.au

(Signed)
Anthony Seebach
National Manager, Trade Services
CANBERRA ACT
18 April 2011