



# Customs Amendment Regulations 2011 (No. )<sup>1</sup>

**Select Legislative Instrument 2011 No.**

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I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Customs Act 1901*.

Dated 2011

Governor-General

By Her Excellency's Command

**[DRAFT ONLY – NOT FOR SIGNATURE]**

Minister for Home Affairs

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**EXPOSURE DRAFT**

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**1 Name of Regulations**

These Regulations are the *Customs Amendment Regulations 2011 (No. )*.

**2 Commencement**

These Regulations commence as follows:

- (a) on the day after they are registered — regulations 1 to 3 and Schedule 1;
- (b) on the commencement of Schedules 1 and 2 to the *Customs Amendment (Export Controls and Other Measures) Act 2011* — regulation 4 and Schedule 2.

**3 Amendment of *Customs Regulations 1926***

Schedule 1 amends the *Customs Regulations 1926*.

**4 Amendment of *Customs Regulations 1926***

Schedule 2 amends the *Customs Regulations 1926*.

## **Schedule 1 Amendments commencing on day after registration**

(regulation 3)

### **[1] Subregulation 128 (2)**

*omit*

same import declaration or self-assessed clearance declaration.

*insert*

same:

- (a) import declaration; or
- (b) self-assessed clearance declaration; or
- (c) return under subsection 69 (5), 70 (7) or 105C (2) of the Act.

### **[2] Schedule 1AAA**

*after*

2208.70.00

*insert*

2208.90.00

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**Schedule 2 Amendments commencing on commencement of Schedules 1 and 2 to the Customs Amendment (Export Control and Other measures) Act 2011**  
(regulation 4)

**[1] Regulation 23**

*omit*

paragraph 30 (1) (d)

*insert*

paragraphs 30 (1) (d) and (e)

**[2] Regulation 51**

*substitute*

**51 Refund of fees for warehouse licences**

(1) In this regulation:

*instalment period* means:

- (a) the period of 3 months commencing on the day on which an instalment is to be paid under paragraph 50B (2) (b); or
- (b) a period of time commencing on the day on which an instalment is to be paid under subregulation 50B (3).

(2) For subsection 85 (4) of the Act, this regulation explains how to calculate a refund if a warehouse licence is cancelled.

(3) Use the table if:

- (a) the licence fee was paid in instalments; and
- (b) an instalment relates to the instalment period during which the licence was cancelled.

**Step 1** Identify the number of complete days in the instalment period after the licence was cancelled.

**Step 2** Identify the number of days to which the instalment relates.

**Step 3** Multiply the amount of the instalment by the result of step 1 and divide the result by the result of step 2.

The result is the amount of the refund.

(4) Use the table if the licence fee was paid in full for a year or a part of a year.

**Step 1** Identify the number of complete days in the year after the licence was cancelled.

**Step 2** Identify the number of days to which the payment relates.

**Step 3** Multiply the amount of the licence fee by the result of step 1 and divide the result by the result of step 2.

The result is the amount of the refund.

**[3] Schedule 1AAD, item 2**

*substitute*

2	<i>Aviation Transport Security Act 2004</i>	paragraph 77Q (1) (b) subparagraph 77V (5) (b) (ii) subparagraph 77VA (2) (e) (ii) paragraph 77X (2) (g) subsection 77Y (1) paragraph 82 (3) (b) paragraph 82A (1) (b) subsection 86 (1) subparagraph 86 (3) (b) (ii) paragraph 86 (7) (e) paragraph 87 (1) (b) paragraph 96A (6) (b) paragraph 96B (6) (b) paragraph 112C (1) (b) subparagraph 186A (1) (b) (ii)
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## Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.