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of Australia**

Gazette

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TARIFF CONCESSIONS

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The Australian Customs Service (Customs) publishes the Commonwealth of Australia Tariff Concessions Gazette (the Tariff Concessions Gazette) free of charge on the Customs internet site at: <http://www.customs.gov.au>

Interested parties should select “media, publications and forms”, then “tariff concessions gazette”. The gazettes are listed in date order and may be selected from the list of Adobe Portable Document Format (PDF) files.

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CUSTOMS ACT 1901 - NOTICE PURSUANT TO SECTION 269K(1) - APPLICATIONS MADE FOR TARIFF CONCESSION ORDERS

Applications have been lodged for Tariff Concession Orders for the goods described in the following TABLE.

Australian manufacturers who wish to contest the granting of a Tariff Concession Order for the goods described are invited to lodge a submission in writing in an approved form. Submissions must be lodged within 50 days of the date of publication of this Notice.

The operative date (Op.) and TC reference number follow the description of goods.

To assist local manufacturers, the use(s) to which the goods can be put follow the description of goods.

Submission forms are available from Custom Houses throughout Australia or on the Customs web site www.customs.gov.au.

For guidance on the required description style, phone 02 6275 6404, fax 02 6275 6376 or email tarcon@customs.gov.au.

THE TABLE

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number General Rate
3921.11.00 POLYSTYRENE FOAM BOARD, having BOTH of the following: (a) coated on one side with adhesive AND the other side with acid free paper; (b) thickness NOT less than 3 mm Op. 26.02.09	50 - TC 0906705
Stated Use: Backing/mounting boards for picture frames and blackboard, advertising and model fabrication etc Applicant: ANTON'S MOULDINGS PTY.LTD	5%
3923.30.00 BOTTLES, plastic, having screw top caps, height NOT greater than 50 mm, with or without printed labels Op. 27.02.09	50 - TC 0906877
Stated Use: For holding cosmetic or toiletry products such as cleansers, moisturisers, shampoo and conditioner Applicant: MCPHERSON'S CONSUMER PRODUCTS PTY LTD	5%
3923.50.00 COVERS, CAN, plastic Op. 27.02.09	50 - TC 0906869
Stated Use: To cover opened cans Applicant: MCPHERSON'S CONSUMER PRODUCTS PTY LTD	5%
3925.90.00 HOOKS, plastic, self-adhesive Op. 27.02.09	50 - TC 0906879
Stated Use: For hanging or holding various articles Applicant: MCPHERSON'S CONSUMER PRODUCTS PTY LTD	5%

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number General Rate
<p>4016.99.00 PLUGS, SINK AND/OR BATH, rubber Op. 27.02.09</p> <p>Stated Use: To block outlets in sinks and/or baths to prevent escape of water</p> <p>Applicant: MCPHERSON'S CONSUMER PRODUCTS PTY LTD</p>	<p>- TC 0906870 50</p> <p>5%</p>
<p>4016.99.00 PADS AND GRIPPERS, SUCTION, VACUUM LIFT, synthetic rubber Op. 03.03.09</p> <p>Stated Use: Suction pads or grippers for lifting refractory bricks by vacuum lift</p> <p>Applicant: BLUESCOPE STEEL LTD</p>	<p>- TC 0907328 50</p> <p>5%</p>
<p>4016.99.00 SLEEVES, PINCH VALVE Op. 03.03.09</p> <p>Stated Use: Valve sleeves for pinch valves</p> <p>Applicant: LINATEX AUSTRALIA PTY.LTD</p>	<p>- TC 0907331 50</p> <p>5%</p>
<p>4818.90.00 PADS, absorbent, having ALL of the following: (a) high density polyethylene upper cover; (b) absorbent material middle layer; (c) perforated high density polyethylene base layer; (d) length NOT greater than 130 mm; (e) width NOT greater than 82 mm Op. 27.02.09</p> <p>Stated Use: Meat and poultry packing tray linings</p> <p>Applicant: DETMOLD PACKAGING PTY.LTD</p>	<p>- TC 0906884 50</p> <p>5%</p>
<p>4823.69.00 CUPS, having BOTH of the following: (a) internal surface of polymer coated paperboard; (b) single ply outer corrugated paper insulating wrap having a weight NOT greater than 150 gsm Op. 27.02.09</p> <p>Stated Use: For drinking purposes</p> <p>Applicant: DETMOLD PACKAGING PTY.LTD</p>	<p>- TC 0906882 50</p> <p>5%</p>
<p>6307.90.40 FACE MASKS, non-woven textile, with ties Op. 27.02.09</p> <p>Stated Use: Respiratory hygiene in dental practices</p> <p>Applicant: BETEL DISPOSABLE PTY. LTD</p>	<p>- TC 0906868 50</p> <p>5%</p>
<p>6307.90.99 MASKS, sleeping, textile Op. 27.02.09</p> <p>Stated Use: To provide artificial darkness and facilitate sleeping</p> <p>Applicant: MCPHERSON'S CONSUMER PRODUCTS PTY LTD</p>	<p>- TC 0906873 50</p> <p>7.5%</p>

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number General Rate
<p>8467.29.00 HAND TOOL SETS, PIPE FITTINGS, comprising ALL of the following: (a) electro hydraulic hand tool; (b) battery charger; (c) batteries; (d) clamping jaws; (e) ball headed pins; (f) pipe cutter; (g) pipe gripper; (h) expander; (i) expander head; (j) lubricant; (k) cleaning brush; (l) spanner; (m) transport case Op. 02.03.09</p> <p>Stated Use: Compression sleeve tools used in plumbing work sites to cut and expand pipes</p> <p>Applicant: REHAU PTY LTD</p>	<p>50</p> <p>- TC 0907081</p> <p>5%</p>
<p>8481.80.90 LINE BLIND, PIPELINE Op. 24.02.09</p> <p>Stated Use: Blinding any type of pipe line</p> <p>Applicant: ICON VALVE GROUP</p>	<p>50</p> <p>- TC 0906324</p> <p>5%</p>
<p>8515.90.00 PARTS, ARC WELDING MACHINE, being twist lock electrode holders Op. 10.02.09</p> <p>Stated Use: Parts for arc welding machines to secure by means of a twist lock</p> <p>Applicant: BOC LIMITED</p>	<p>50</p> <p>- TC 0904303</p> <p>5%</p>
<p>8543.30.00 ANODES, MAGNESIUM ALLOY AND/OR ALUMINIUM ALLOY, DOMESTIC HOT WEATER HEATERS Op. 02.03.09</p> <p>Stated Use: This sacrificial anode provides cathodic protection to water heater tanks</p> <p>Applicant: DUX MANUFACTURING LIMITED</p>	<p>50</p> <p>- TC 0907148</p> <p>5%</p>
<p>8544.42.19 LOOMS AND/OR HARNESSSES, electrical, incorporating stepped OR non stepped, straight OR right angled connectors, with NOT greater than five integral terminals Op. 25.02.09</p> <p>Stated Use: Poker machines</p> <p>Applicant: K.I.D. AUSTRALIA PTY LTD</p>	<p>50</p> <p>- TC 0906539</p> <p>5%</p>

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number General Rate
<p>8607.21.00 PARTS, BRAKE, RAILWAY ROLLING STOCK, being ANY of the following: (a) cylinders; (b) discs; (c) calipers; (d) slack adjusters; (e) sleeves; (f) brake shoe holders; (g) pad holders; (h) bushes; (i) pistons; (j) friction blocks Op. 27.02.09</p> <p>Stated Use: Used for brakes on railway rolling stock</p> <p>Applicant: FAIVELEY TRANSPORT AUSTRALIA LTD</p>	<p>50</p> <p>- TC 0906969</p> <p>5%</p>
<p>9402.90.00 OPHTHALMIC WORKSTATIONS, including ALL of the following: (a) refractor; (b) table; (c) stand; (d) lamp Op. 27.01.09</p> <p>Stated Use: The ophthalmic examination of patients</p> <p>Applicant: BOC OPHTHALMIC INSTRUMENTS PTY LTD</p>	<p>50</p> <p>- TC 0902545</p> <p>5%</p>
<p>9405.10.00 FITTINGS, LIGHT, non ceramic, incorporating ANY of the following: (a) heater; (b) exhaust fan Op. 03.03.09</p> <p>Stated Use: Bathroom heating/lighting</p> <p>Applicant: H.P.M.INDUSTRIES PTY LTD</p>	<p>50</p> <p>- TC 0907369</p> <p>5%</p>
<p>9405.40.00 LIGHTS, outdoor, hard wired, non ceramic, audio signal receptive, incorporating speakers Op. 02.03.09</p> <p>Stated Use: Outdoor lights that receive power and audio signal through power wires</p> <p>Applicant: CONEXUS PTY.LTD</p>	<p>50</p> <p>- TC 0907257</p> <p>5%</p>
<p>9506.40.00 SETS, TABLE TENNIS, consisting of BOTH of the following: (a) balls; (b) bats Op. 26.02.09</p> <p>Stated Use: Playing table tennis</p> <p>Applicant: ARISTON TABLE TENNIS SALES PTY.LTD</p>	<p>50</p> <p>- TC 0906802</p> <p>5%</p>

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NOTICE PURSUANT TO PARAGRAPH 2691(4B)(b) - PROPOSAL TO AMEND DESCRIPTION OF GOODS FOLLOWING AN OBJECTION SUBMISSION

Amended descriptions have been proposed for the Tariff Concession Order applications shown in the following TABLE.

Australian manufacturers who consider that there are reasons why the Tariff Concession Order as proposed to be amended should not be made are invited to lodge a submission. Submissions must be lodged no later than 14 days after the publication of this Notice.

The operative date (Op.) and TC reference number follow the description of goods.

To assist local manufacturers, the use(s) to which the goods can be put follow the description of goods.

THE TABLE

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number
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3923.10.00	50
BOXES, polypropylene, single loading NOT greater than 35 kg and stack loading NOT greater than 150 kg, having BOTH of the following: (a) external dimensions NOT less than 600 mm x 400 mm x 335 mm; (b) internal dimensions NOT less than 555 mm x 365 mm x 315 mm Op. 24.11.08	
Stated Use: For bulk packaging of goods	
Applicant: PAKSMART INTERNATIONAL (HOLDINGS) PTY.LTD	
	- TC 0840874

8419.90.00	50
PARTS, COFFEE MAKING MACHINES, being ANY of the following: (a) filter holders; (b) levers; (c) group heads; (d) hoppers; (e) porta-filters Op. 30.12.08	
Stated Use: Repair and maintenance of commercial coffee machines	
Applicant: CANTARELLA BROS PTY LTD	
	- TC 0845340

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NOTICE PURSUANT TO SECTION 269R(1) - APPLICATIONS FOR TARIFF CONCESSION ORDERS REFUSED

Applications for Tariff Concession Orders for the goods described in the following TABLE have been refused.

THE TABLE

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number
3924.90.00 CLOTHES LINES, retracting Op. 10.10.08 Reason for refusal: Substitutable goods produced by local manufacturer - Dayton Tooling Pty Ltd, Preston, Vic.	- TC 0834516 50
7326.90.90 CLOTHES LINES, OUTDOOR, being ANY of the following: (a) fixed head hoists; (b) folding head hoists; (c) folding frame Op. 08.10.08 Reason for refusal: Substitutable goods produced by local manufacturer - Dayton Tooling Pty Ltd, Preston, Vic.	- TC 0834517 50
8425.39.00 WINCHES, hand operated Op. 01.11.08 Reason for refusal: Substitutable goods produced by local manufacturer - McDowall Engineering, Brendale, Qld.	- TC 0834251 50

CUSTOMS ACT 1901 - NOTICE PURSUANT TO SECTION 269R(1) - TARIFF CONCESSION ORDERS MADE

Tariff Concession Orders have been made for the goods described in the following TABLE.

The operative date (Op.) and TC reference No. follow the description of goods.

Local manufacturers of substitutable goods may request the revocation of TCOs at any time.

THE TABLE

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number Last Date of Effect
4811.49.90 FLEECE PAPER, having a width greater than 15 cm Op. 06.01.09 Dec. date 27.03.09	- TC 0945960 50
7307.99.00 TERMINATION HEADS, subsea Op. 05.01.09 Dec. date 27.03.09	- TC 0946016 50
7318.29.00 GRAB RINGS, stainless steel Op. 05.01.09 Dec. date 27.03.09	- TC 0945729 50
8203.20.00 PLIERS, being ANY of the following: (a) aviation slip pliers; (b) bent nose pliers; (c) combination pliers, length NOT less than 210 mm; (d) cutting pliers; (e) end nipper pliers; (f) groove joint pliers; (g) linesman pliers, length NOT less than 210 mm; (h) lock grip pliers; (i) long nose pliers; (j) long reach pliers; (k) round nose pliers; (l) slip joint pliers; (m) snap ring pliers; (n) straight nose pliers; (o) welding clamp pliers; (p) wire stripper pliers Op. 17.12.08 Dec. date 27.03.09	- TC 0844180 50
8204.20.00 SPANNER SOCKET SETS, having BOTH of the following: (a) NOT less than six sockets; (b) ratchet handle, and NOT less than one of the following: (i) bit; (ii) bit holder; (iii) wrench; (iv) universal joint; (v) extension bar; (vi) bit socket; (vii) hex key; (viii) bit driver Op. 11.12.08 Dec. date 25.03.09	- TC 0843479 50
8419.39.90 ROTARY DRYER DEHYDRATING SYSTEM, skid mounted, programmable logic controlled, having ALL of the following: (a) output capacity NOT greater than 1 000 kg per hour; (b) rotary dryer unit; (c) sealed floor; (d) dust extraction system; (e) exhaust system; (f) fan; (g) coagulator; (h) in-line mill; (i) condenser Op. 30.12.08 Dec. date 27.03.09	- TC 0845342 50

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number Last Date of Effect
8419.39.90 DRYERS, SAND MOULD, infrared Op. 06.01.09 Dec. date 27.03.09	50 - TC 0946227
8421.22.00 CROSS FLOW FILTRATION MACHINES, including ALL of the following: (a) poly ether sulfone microfiltration membranes; (b) transmembrane pressure management pump; (c) retentate viscosity control; (d) pressure sensors; (e) temperature sensors; (f) level sensors Op. 30.12.08 Dec. date 27.03.09	50 - TC 0845406
8428.39.00 CONVEYORS, OVERHEAD, POULTRY PROCESSING LINE Op. 30.12.08 Dec. date 27.03.09	50 - TC 0845442
8431.43.00 STABILISERS, BOTTOM HOLE ASSEMBLY, OIL AND GAS WELL, modular, having BOTH of the following: (a) power and communication ring connections at both ends; (b) connecting wireway Op. 05.11.08 Dec. date 25.03.09	50 - TC 0838623
8479.89.90 POUCH DESICCANT INSERTERS Op. 30.12.08 Dec. date 27.03.09	50 - TC 0845403
8479.90.00 DRUM SHELLS, DEBARKER Op. 05.01.09 Dec. date 27.03.09	50 - TC 0945730
8481.80.90 VALVES, O-PORT OR THROUGH CONDUIT, being ANY of the following: (a) steel construction complying with ALL of the following: (i) pressure temperature rating to American National Standards Institute Specification B16.34 (ANSI B16.34); (ii) bore NOT greater than 200 mm; (iii) maximum operating pressure NOT less than 700 kPa (b) steel construction complying with ALL of the following: (i) pressure temperature rating to American National Standards Institute Specification B16.34 (ANSI B16.34); (ii) bore diameter NOT less than 250 mm and NOT greater than 400 mm; (iii) maximum operating pressure NOT less than 1 650 kPa (c) steel construction complying with ALL of the following: (i) pressure temperature rating to American National Standards Institute Specification B16.34 (ANSI B16.34); (ii) bore diameter NOT less than 450 mm and NOT greater than 600 mm; (iii) maximum operating pressure NOT less than 1 050 kPa (d) steel construction complying with ALL of the following: (i) pressure temperature rating to American National Standards Institute Specification B16.34 (ANSI B16.34); (ii) bore diameter NOT greater than 700 mm; (iii) maximum operating pressure NOT less than 650 kPa (e) high alloy steel, hastelloy, duplex, inconel, zirconium or titanium construction complying with ALL of the following: (i) pressure temperature rating to American National Standards Institute Specification B16.34 (ANSI B16.34); (ii) bore size NOT less than 50 mm and NOT greater than 1 800 mm Op. 24.10.08 Dec. date 26.03.09	50 - TC 0836802
9401.71.00 MARINE SADDLES, being shock mitigation jockey seats Op. 06.01.09 Dec. date 27.03.09	50 - TC 0946167

Description of Goods including the
Customs Tariff Classification

Schedule 4 Item Number
Last Date of Effect

9603.90.00	BRUSHES, BOTTLE AND/OR TEAT Op. 02.01.09	Dec. date 27.03.09	- TC 0945605	50
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CUSTOMS ACT 1901 - NOTIFICATION OF REQUEST FOR REVIEW OF APPLICATION DECISIONS

A request has been received for review by Customs of the decision made on the application for the Tariff Concession Order for goods described in the following TABLE.

THE TABLE

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number Date of Lodgement of Request	Initial Decision
8504.40.90 INVERTERS, GRID CONNECT, SOLAR POWER AND/OR WIND POWER, having a DC input of 400 volts or greater Op. 27.08.08	50 24.03.09 - TC 0828417	REFUSE

CUSTOMS ACT 1901

CUSTOMS TARIFF ACT 1995

PART I OF SCHEDULE 4

BY-LAW NO. 0906049

I, Alison May Elizabeth Roach, delegate of the Chief Executive Officer for the purposes of section 271 of the *Customs Act 1901*, hereby make the by-law set out in the Schedule below.

THE SCHEDULE

BY-LAW NO. 0906049

Item 15
Part I of Schedule 4

1. This by-law may be cited as Customs By-law No. 0906049.
2. This by-law takes effect on and from 1 April 2009.
3. Item 15 in Part I of Schedule 4 to the *Customs Tariff Act 1995* applies to goods that are specified in Column 1 of the Table below (the Table) subject to:
 - (a) paragraph 4; and
 - (b) the exclusions and conditions, if any, set out in Column 2 opposite those goods.
4. The goods must:
 - (a) be imported as the accompanied baggage of an arriving person or purchased by an arriving person at an inwards duty free shop; and
 - (b) not be commercial goods; and
 - (c) not be motor vehicles or motor vehicle parts.
5. For the purposes of item 7 of the Table, one cigarette is taken to weigh 1 gram.
6. For the purposes of item 8 of the Table, the amount, in respect of a family that arrived in Australia on a flight or voyage, is the amount calculated in accordance with the formula:

$$(\$900 \times A) + (\$450 \times C)$$

where:

A is the number of adults in the family who were on the flight or voyage; and
C is the number of children in the family who were on the flight or voyage.

7. In this by-law:

accompanied baggage means goods which:

- (a) are carried or worn by an arriving person and are available for presentation to Customs at the time of his or her processing through Customs; or
 - (b) are consigned to travel on the same ship or aircraft as the arriving person as baggage under a passenger's ticket baggage allowance or as excess baggage, but which are loaded onto another ship or aircraft due to circumstances beyond the control of the passenger; or
 - (c) are consigned to arrive on one of a group of Australian Defence Force operated ships or aircraft carrying out the joint task of transporting passengers and their baggage,
- but does not include goods forwarded by post or consigned as freight by the arriving person whether or not they arrive on the same ship or aircraft;

adult means a person 18 years or over;

arriving person means a passenger or crew member who was on board a ship or aircraft which arrived in Australia from a place outside Australia;

child means a child (within the meaning of section 4 of the *Customs Act 1901*) who is under 18;

commercial goods means goods that:

- (a) are intended to be used by the arriving person for a commercial purpose, including sale, lease, hire or exchange; or
- (b) are goods that have been imported in such a quantity that, having regard to their nature or durability, that quantity represents a commercial quantity;

family means:

- (a) a husband and wife, and any of their children; or
- (b) a person and his or her *de facto* partner (within the meaning of section 22A of the *Acts Interpretation Act 1901*), and any of their children;

inwards duty free shop has the meaning given by section 96B of the *Customs Act 1901*;

GST has the meaning given by section 195-1 of the *GST Act*;

GST Act means the *A New Tax System (Goods and Services Tax) Act 1999*;

personal good means a good that is:

- (a) the property of an arriving person; and
- (b) suitable, and is intended, for use by the arriving person;

tobacco product means a cigarette, cigar or other product containing tobacco;

used, in relation to the expression "owned and used", means being available for use for their intended purpose by the arriving person on a continuing basis in each country in which that person was residing on a long term basis.

THE TABLE

Column 1 Goods	Column 2 Conditions and Exclusions
Category: Personal clothing, footwear and articles for personal hygiene/grooming	
<p>Item 1:</p> <p>Personal goods, as follows: (a) personal clothing of all kinds including footwear; (b) articles for personal hygiene or grooming.</p>	<p>Exclusion 1.1:</p> <p>Excluding fur apparel and perfume concentrates.</p>
Category: Goods previously exported from Australia by the arriving person	
<p>Item 2:</p> <p>Personal goods, imported by an arriving person ordinarily domiciled in Australia that were exported from Australia when the person departed from Australia.</p>	<p>Exclusion 2.1:</p> <p>Excluding goods purchased duty free in Australia at an outwards duty free shop (within the meaning of section 96A of the <i>Customs Act 1901</i>).</p> <p>Exclusion 2.2:</p> <p>Excluding goods that were an acquisition, the supply of which was a GST-free supply because of item 7 in the table in subsection 38-185(1) of the GST Act.</p> <p>Exclusion 2.3:</p> <p>Excluding goods in respect of which the arriving person is entitled to, and has claimed, a payment under Division 168 of the GST Act related to the export of the goods.</p>
Category: Goods to be exported from Australia later by the arriving person	
<p>Item 3:</p> <p>Personal goods, imported by an arriving person ordinarily domiciled outside Australia that the arriving person intends to export from Australia when the arriving person departs from Australia.</p>	
Category: Goods owned and used overseas for more than 12 months	
<p>Item 4:</p> <p>Personal goods, including fur apparel, personal effects, furniture and household goods not covered by items 1 to 3.</p>	<p>Condition 4.1:</p> <p>Provided the goods have been owned and used overseas by the arriving person for a period of 12 months preceding the arriving person's departure for Australia.</p> <p>Exclusion 4.2:</p> <p>Excluding alcoholic beverages and tobacco products.</p>

Column 1 Goods	Column 2 Conditions and Exclusions
Category: Alcoholic beverages	
Item 5: Alcoholic beverages not exceeding 2,250 ml.	Condition 5.1: The goods must be imported by an adult or purchased at an inwards duty free shop by an adult. Exclusion 5.2: Excluding all alcoholic beverages where the total quantity of alcoholic beverages imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 2,250 ml.
Category: Tobacco products	
Item 6: 25 or less cigarettes.	Condition 6.1: The goods must be in an opened packet in the possession of the adult who imported them.
Item 7: Tobacco products not exceeding 250 grams (excluding cigarettes covered by item (6)).	Condition 7.1: The goods must be imported by an adult or purchased at an inwards duty free shop by an adult. Exclusion 7.2: Excluding all tobacco products where the total quantity of tobacco products imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 250 grams (excluding cigarettes covered by item (6)).
Category: Family - general goods not covered by any other category	
Item 8: Goods: (a) not covered by an item of the Table above; and (b) where the total value of all such goods imported by the members of a family (if any) and purchased by the members of the family at an inwards duty free shop (if any) does not exceed the amount calculated in accordance with paragraph 6 above.	Condition 8.1: The goods must be imported by a member of a family or purchased at an inwards duty free shop by a member of a family. Condition 8.2: The members of the family must be passengers who arrived in Australia on the same flight or voyage. Exclusion 8.3: Excluding alcoholic beverages and tobacco products. Exclusion 8.4: Excluding all goods where the total value of all such goods imported by the members of the family (if any) and purchased by the members of the family at an inwards duty free shop (if any) exceeds the amount calculated in accordance with paragraph 6 above.

Column 1 Goods	Column 2 Conditions and Exclusions
Category: Adult (not travelling in family group) - general goods not covered by any other category	
Item 9: Goods: (a) not covered by an item of the Table above; and (b) where the total value of such goods does not exceed \$900.	Condition 9.1: The goods must be imported, or purchased at an inwards duty free shop, by an adult passenger who is not travelling on the flight or voyage with his or her family. Exclusion 9.2: Excluding alcoholic beverages and tobacco products. Exclusion 9.3: Excluding all goods where the total value of all such goods imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds \$900.
Category: Children (not travelling in a family group) and crew members - general goods not covered by any other category	
Item 10: Goods: (a) not covered by an item of the Table above; and (b) where the total value of such goods does not exceed \$450.	Condition 10.1: The goods must be imported, or purchased at an inwards duty free shop, by a crew member or a passenger who is a child who is not travelling on the flight or voyage with his or her family. Exclusion 10.2: Excluding alcoholic beverages and tobacco products. Exclusion 10.3: Excluding all goods where the total value of all such goods imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds \$450.

8. For the purposes of this by-law, the "Customs Tariff Act 1995" means the *Customs Tariff Act 1995*, as amended or proposed to be altered.
9. Customs By-law No. 0540001, published in *Gazette* No. TC 05/5 on 2 February 2005 is hereby revoked on and from 1 April 2009.

Dated: 18 March 2009.

(Signed)
Alison May Elizabeth Roach
Delegate of the Chief Executive Officer

CUSTOMS ACT 1901

CUSTOMS TARIFF ACT 1995

PART I OF SCHEDULE 4

BY-LAW NO. 0906051

I, Alison May Elizabeth Roach, delegate of the Chief Executive Officer for the purposes of section 271 of the *Customs Act 1901*, hereby make the by-law set out in the Schedule below.

In the by-law set out below, "security" means the security given (under section 42 of the *Customs Act 1901*) to, and to the satisfaction of, the Collector by the importer.

THE SCHEDULE

BY-LAW NO. 0906051

Item 15
Part I of Schedule 4

1. This by-law may be cited as Customs By-law No. 0906051.
2. This by-law takes effect on and from 1 April 2009.
3. Item 15 in Part I of Schedule 4 to the *Customs Tariff Act 1995* applies to goods that are specified in Column 1 of the Table below (the Table) subject to:
 - (a) paragraph 4; and
 - (b) the exceptions and conditions, if any, set out in Column 2 opposite those goods.
4. The goods must:
 - (a) not be commercial goods; and
 - (b) be personal goods.
5. In this by-law:

adult means a person 18 years or over;

arriving person means a passenger or crew member who was on board a ship or aircraft which arrived in Australia from a place outside Australia;

commercial goods means goods that:
 - (a) are intended to be used by the arriving person for a commercial purpose, including sale, lease, hire or exchange; or
 - (b) are goods that have been imported in such a quantity that, having regard to their nature or durability, that quantity represents a commercial quantity;

family means:
 - (a) a husband and wife, and any of their children who are under the age of 18 years; or
 - (b) a person and his or her *de facto* partner (within the meaning of section 22A of the *Acts Interpretation Act 1901*), and any of their children who are under the age of 18 years;

permanent resident means a person who arrives in Australia and intends forthwith to take up permanent residence in Australia; and
 - (a) is an Australian citizen for the purposes of the *Australian Citizenship Act 2007* (as amended from time to time); or
 - (b) holds a permanent visa within the meaning of the *Migration Act 1958* (as amended from time to time); or
 - (c) holds a special category visa within the meaning of the *Migration Act 1958* (as amended from time to time);

personal goods means goods that:
 - (a) are the property of an arriving person; and
 - (b) are suitable, and are intended, for use by the arriving person;but do not include motor vehicles or motor vehicle parts;

tobacco products mean cigarettes, cigars or other products containing tobacco;

used in relation to the expression "personally owned and used" means being available for use for their intended purpose by the arriving person on a continuing basis in each country in which that person was residing on a long term basis.

THE TABLE

Column 1 Goods	Column 2 Exceptions and Conditions
<p>(1) Goods, as follows: (a) personal clothing of all kinds including footwear; (b) articles for personal hygiene or grooming.</p>	<p>(1) The goods must be imported by an arriving person who is a permanent resident. (2) Except fur apparel and perfume concentrates.</p>
<p>(2) Goods, as follows: (a) non-motorised caravans; (b) non-motorised box, boat or similar trailers; (c) boats designed for use in sheltered waters for sport or recreation, conforming to one of the following specifications: (i) boats propelled by manual or pedal power; (ii) sailing boats that: (a) do not exceed 1,000 kilograms unladen weight; (b) do not incorporate any device for propelling the boat by power; and (c) are not of the deep keel type; or (iii) powered boats that: (a) do not exceed 7 metres in length, overall; (b) do not exceed 2.5 metres in width at any section; and (c) do not exceed 1,250 kilograms unladen weight when imported with driving units and transmissions, or 800 kilograms unladen weight when imported without driving units and transmissions.</p>	<p>(1) The goods must be imported by an arriving person. (2) If the person is part of a family, only one article selected from each of the three groups (a), (b) and (c) (specified in Column 1) will be allowed for the family per three years. (3) If the person is not part of a family, only one article selected from each of the three groups (a), (b) and (c) (specified in Column 1) will be allowed for the person per three years. (4) The person must have: (a) arrived in Australia with the intention of immediately taking up or resuming permanent residence; and (b) personally owned and used the goods overseas for the twelve months preceding the person's departure for Australia. (5) If the goods are a boat specified in group (c), security shall be given by the person to an officer of Customs and to the satisfaction of that officer that the goods will not be sold or otherwise disposed of in Australia by or on behalf of the arriving person, within two years after the date of importation of the goods.</p>
Column 1 Goods	Column 2 Exceptions and Conditions
<p>(3) Aircraft of all types, having not more than one propulsion motor.</p>	<p>(1) The goods must be imported by an arriving person who is an adult permanent resident.</p>

	<p>(2) If the person is part of a family, only one aircraft will be allowed for the family.</p> <p>(3) If the person is not part of a family, only one aircraft will be allowed for the person.</p> <p>(4) The person must have personally owned and used the goods overseas for the six months preceding the person's departure for Australia.</p> <p>(5) Security shall be given by the person to an officer of Customs and to the satisfaction of that officer that the goods will not be sold or otherwise disposed of in Australia by or on behalf of the arriving person, within two years after the date of importation of the goods.</p>
<p>(4) Machinery, plant and equipment, not covered by a preceding item.</p>	<p>(1) The goods must be imported by an arriving person who is an adult permanent resident.</p> <p>(2) The person must have personally owned and used the goods overseas for the twelve months preceding the person's departure for Australia.</p> <p>(3) The person must intend to use the goods or be in a position to use the goods.</p> <p>(4) Security shall be given by the person to an officer of Customs and to the satisfaction of that officer that:</p> <p>(a) the goods will, for a continuous period of two years, be put to use in Australia by the arriving person for the purpose for which they are intended; and</p> <p>(b) the goods will not be sold, leased, hired, mortgaged or otherwise disposed of, by or on behalf of the arriving person, before the expiration of the two year period referred to in</p>

	sub-paragraph (a) of this condition.
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Column 1 Goods	Column 2 Exceptions and Conditions
(5) Fur apparel, personal effects, furniture and household goods, not covered by a preceding item.	(1) The goods must be imported by an arriving person. (2) The person must have personally owned and used the goods overseas for the twelve months preceding the arriving person's departure for Australia. (3) Except alcoholic beverages and tobacco products.

6. For the purposes of this by-law, the "Customs Tariff Act 1995" means the *Customs Tariff Act 1995*, as amended or proposed to be altered.

7. Customs By-law No. 0540002, published in *Gazette* No. TC 05/5 on 2 February 2005 is hereby revoked on and from 1 April 2009.

Dated: 18 March 2009.

(Signed)
Alison May Elizabeth Roach
Delegate of the Chief Executive Officer

