



AUSTRALIAN CUSTOMS NOTICE NO. 2005/30

Tariff Concession Orders - application requirements

On 11 May 2005, the three percent customs duty levied on imported business inputs eligible for a Tariff Concession Order (TCO) was removed. The response to the change in duty rate has been a marked increase in TCO applications. Many of these applications are being lodged by new participants in the Tariff Concession scheme. To assist these new participants, Customs has identified some of the critical aspects in preparing an application for a TCO.

LODGING A TCO APPLICATION

To lodge a TCO application with Customs, section 269F of the *Customs Act 1901* (Customs Act) requires that the:

- “...application must:
- (a) be in writing;
 - (b) be in an approved form; and
 - (c) contain such information as the form requires; and
 - (d) be signed in the manner indicated in the form.”

The following information is provided to clarify some of the requirements for successfully lodging a TCO application.

‘Approved’ *Application for a Tariff Concession Order (B443)* forms are available:

via the Customs Internet website at
www.customs.gov.au/webdata/resources/files/B443_0106.pdf ;
at any Customs office; or
via post upon request to any Customs office.

All application forms must be complete and accompanied by appropriate supporting documentation. Incomplete or insufficiently supported applications will be rejected.

To ensure applications are not rejected, particular attention should be paid to the following areas:

Description of Goods - a physical description of the goods must be provided. The description should be phrased positively and in generic terms but should not state what the goods do, or their end use.

For example: PARTS, PUMP, being ANY of the following:
(a) rings;
(b) impellers;
(c) casings

Illustrative Material - applications must be accompanied by illustrative descriptive material (IDM) that clearly identifies the goods. IDM can take any form. It may include samples, CD-ROMs, brochures, data sheets and schematic diagrams.

Tariff Classification - all applications must include an eight-figure tariff classification for the goods. Tariff classifications are codes given to all imported goods that determine the rate of duty levied on those goods. It is recommended that applicants seek the assistance of a customs

broker or the Customs Tariff Classification area in any region, to determine the correct tariff classification through a formal Tariff Advice (TA).

If a TA has been requested in relation to goods that are the subject of a TCO application, the same supporting documentation for the TA should accompany the TCO application.

Substitutability of Locally Produced Goods - TCOs will only be made for goods where there are no locally produced, substitutable goods. Substitutable goods are goods where there is an intersection of capabilities with the imported goods.

Documentary evidence of searches conducted by the applicant to demonstrate that there are no local manufacturers must be provided in support of all applications. Examples of acceptable documentary evidence includes:

- letters from the Industrial Supplies Office;
- searches in relevant trade directories such as Kompass; or
- correspondence with industry bodies.

FURTHER INFORMATION

More detailed information about lodging TCO applications please refer to Australian Customs Notice 1998/19.

Inquiries concerning this notice may be directed to the Tariff Concessions Section on telephone number (02) 6275 6404 (*) or fax number (02) 6275 6376.

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(*) Contact telephone number updated 03/08/2007