



# **Customs Tariff (Anti-Dumping) Amendment Act (No. 1) 1999**

**No. 27, 1999**



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**An Act to amend the *Customs Tariff*  
(*Anti-Dumping*) Act 1975, and for related purposes**

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## Contents

1	Short title .....	1
2	Commencement .....	1
3	Schedule(s) .....	2

### **Schedule 1—Amendment of the Customs Tariff (Anti-Dumping) Act 1975**

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## An Act to amend the *Customs Tariff* (*Anti-Dumping*) Act 1975, and for related purposes

[Assented to 14 May 1999]

The Parliament of Australia enacts:

### 1 Short title

This Act may be cited as the *Customs Tariff (Anti-Dumping)*  
*Amendment Act (No. 1) 1999*.

### 2 Commencement

- (1) Subject to subsection (2), this Act is taken to have commenced on  
1 January 1993.

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- (2) Items 2, 4, 6, 7 and 9 of Schedule 1 commence on the day on which this Act receives the Royal Assent.

### **3 Schedule(s)**

Subject to section 2, each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

## **Schedule 1—Amendment of the Customs Tariff (Anti-Dumping) Act 1975**

### **1 Subsection 8(2)**

Repeal the subsection, substitute:

- (2) There is imposed, and there must be collected and paid, on goods:
- (a) to which this section applies by virtue of a notice under subsection 269TG(1) or (2) of the Customs Act; and
  - (b) in relation to which the amount of the export price is less than the amount of the normal value;
- a special duty of Customs, to be known as dumping duty, calculated in accordance with subsection (6).

### **2 Subsection 8(5A)**

After “269TG(1) or (2)”, insert “of the Customs Act”.

### **3 Subsection 9(2)**

Repeal the subsection, substitute:

- (2) There is imposed, and there must be collected and paid, on goods:
- (a) to which this section applies by virtue of a notice under subsection 269TH(1) or (2) of the Customs Act; and
  - (b) in relation to which the amount of the export price is less than the amount of the normal value;
- a special duty of Customs, to be known as third country dumping duty, calculated in accordance with subsection (6).

### **4 Subsection 9(5A)**

After “269TH(1) or (2)”, insert “of the Customs Act”.

### **5 Subsection 10(1)**

Repeal the subsection, substitute:

- (1) There is imposed, and there must be collected and paid, on goods:

- (a) to which this section applies by virtue of a notice under subsection 269TJ(1), (2), (4), (5) or (6) of the Customs Act; and
  - (b) if the goods are goods to which this section applies by virtue of a notice under subsection 269TJ(1) or (2)—in relation to which a countervailable subsidy is received;
- a special duty of Customs, to be known as countervailing duty.

**6 Subsection 10(3)**

After “on goods”, insert “the”.

**7 Subsection 10(3B)**

After “269TJ(1) or (2)”, insert “of the Customs Act”.

**8 Subsection 11(1)**

Repeal the subsection, substitute:

- (1) There is imposed, and there must be collected and paid, on goods:
    - (a) to which this section applies by virtue of a notice under subsection 269TK(1) or (2) of the Customs Act; and
    - (b) in relation to which a countervailable subsidy is received;
- a special duty of Customs, to be known as third country countervailing duty, calculated in accordance with subsection (7).

**9 Subsection 11(4)**

After “269TK(1) or (2)”, insert “of the Customs Act”.

**10 Saving provisions**

- (1) Any dumping duty imposed, and any dumping duty or interim dumping duty collected, as a result of a notice given by the Minister under subsection 269TG(1) or (2) or 269TH(1) or (2) of the *Customs Act 1901* (the ***Customs Act***) on or after 1 January 1993 is taken, for all purposes, to have been so imposed or collected in accordance with the *Customs Tariff (Anti-Dumping) Act 1975* as amended by this Act.
- (2) Any countervailing duty imposed, and any countervailing duty or interim countervailing duty collected, as a result of a notice given by the Minister under subsection 269TJ(1) or (2) or 269TK(1) or (2) of the

Customs Act on or after 1 January 1993 is taken, for all purposes, to have been imposed or collected in accordance with the provisions of the *Customs Tariff (Anti-Dumping) Act 1975* as amended by this Act.

(3) In this item:

***dumping duty*** and ***countervailing duty*** have the same meanings as in Part XVB of the Customs Act.

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[*Minister's second reading speech made in—  
House of Representatives on 3 December 1998  
Senate on 25 March 1999*]

(204/98)

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