



Customs Tariff Amendment Act (No. 1) 2002

No. 38, 2002

**An Act to amend the *Customs Tariff Act 1995*, and
for other purposes**

Note: An electronic version of this Act is available in SCALEplus
(<http://scaleplus.law.gov.au/html/comact/browse/TOCN.htm>)

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An Act to amend the *Customs Tariff Act 1995*, and for other purposes

[Assented to 26 June 2002]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Customs Tariff Amendment Act (No. 1) 2002*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, on the day or at the time specified in column 2 of the table.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent	26 June 2002
2. Schedule 1	At the end of the period of 14 days beginning on the day on which this Act receives the Royal Assent	10 July 2002
3. Schedule 2	Immediately after the commencement of Schedule 1 to the <i>Customs Tariff Amendment Act (No. 5) 2001</i>	1 January 2002
4. Schedule 3, item 1	Immediately after the time applicable under the <i>Customs Tariff Amendment Act (No. 5) 2001</i> for the commencement of item 27 of Schedule 1 to that Act	1 January 2002
5. Schedule 3, item 2	Immediately after the time applicable under the <i>Customs Tariff Amendment Act (No. 5) 2001</i> for the commencement of item 290 of Schedule 1 to that Act	1 January 2002

Note: This table relates only to the provisions of this Act as originally passed by the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

- (2) Column 3 of the table is for additional information that is not part of this Act. This information may be included in any published version of this Act.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule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 Act 1995 having effect 14 days after Royal Assent

Customs Tariff Act 1995

1 At the end of section 7

Add:

- (3) A reference in the Interpretation Rules to Notes includes a reference to Additional Notes.

2 After Note 3 to Chapter 21 of Schedule 3

Insert:

Additional Note.

- 1.- Heading 2103 includes salsas.

3 Item 59 in Part III of Schedule 4

Repeal the item, substitute:

59	Used or secondhand passenger motor vehicles, as prescribed by by-law	15%
		FI:10%
		DC:10%
		CAN:7.5%
	From 1 January 2005	10%
		FI:5%
		DC:5%
		CAN:2.5%

Schedule 2—Amendment of the Customs Tariff Act 1995 having effect immediately after the commencement of Schedule 1 to the Customs Tariff Amendment Act (No. 5) 2001

Customs Tariff Act 1995

1 The description of goods in column 2 of heading 2007 of Schedule 3

Repeal the description, substitute:

JAMS, FRUIT JELLIES, MARMALADES, FRUIT
OR NUT PUREE AND FRUIT OR NUT PASTES,
OBTAINED BY COOKING, WHETHER OR NOT
CONTAINING ADDED SUGAR OR OTHER
SWEETENING MATTER:

2 Additional Note 1 to Chapter 27 of Schedule 3

Repeal the Note, substitute:

- 1.- For the purposes of 2710.19.50, 2710.91.50 and 2710.99.50, the physical characteristics of fuel oil are:
- (a) a density equal to or greater than 920.0 kg/m³ at 15 °C as determined by either ASTM D1298 or ASTM D4052; and
 - (b) a carbon residue, on the whole sample, of at least 2.0% mass as determined by ASTM D189 (Conradson Carbon Residue) or by ASTM D4530 (Carbon Residue-Micro Method); and
 - (c) a minimum kinematic viscosity of 10 centistokes (mm² per second) at 50 °C as determined by ASTM D445.

3 The description of goods in column 2 of subheading 2707.20 of Schedule 3

Repeal the description, substitute:

-Toluol (toluene):

4 The description of goods in column 2 of subheading 2707.30 of Schedule 3

Repeal the description, substitute:

-Xylol (xylenes):

5 Note 8 to Chapter 29 of Schedule 3

Repeal the Note, substitute:

8.- For the purposes of 2937:

- (a) “hormones” includes hormone-releasing or hormone-stimulating factors, hormone inhibitors and hormone antagonists (anti-hormones);
- (b) “used primarily as hormones” applies not only to hormone derivatives and structural analogues used primarily for their hormonal effect, but also to those derivatives and structural analogues used primarily as intermediates in the synthesis of products of this heading.

6 The description of goods in column 2 of subheading 2926.30.00 of Schedule 3

Repeal the description, substitute:

-Fenproporex (INN) and its salts; methadone (INN) intermediate (4-cyano-2-dimethylamino-4,4-diphenylbutane)

7 The description of goods in column 2 of subheading 2933.33.00 of Schedule 3

Repeal the description, substitute:

--Alfentanil (INN), anileridine (INN), bezitramide (INN), bromazepam (INN), difenoxin (INN), diphenoxylate (INN), dipipanone (INN), fentanyl (INN), ketobemidone (INN), methylphenidate (INN), pentazocine (INN), pethidine (INN), pethidine (INN) intermediate A, phencyclidine (INN) (PCP), phenoperidine (INN), pipradrol (INN), piritramide (INN), propiram (INN) and trimeperidine (INN); salts thereof

8 The description of goods in column 2 of subheading 2933.55.00 of Schedule 3

Repeal the description, substitute:

--Loprazolam (INN), mecloqualone (INN), methaqualone (INN) and zipeprol (INN); salts thereof

**9 The description of goods in column 2 of subheading
2933.9 of Schedule 3**

Repeal the description, substitute:

-Other:

**10 The description of goods in column 2 of subheading
3822.00.3 of Schedule 3**

Repeal the description, substitute:

---Goods, as follows:

- (a) in strips or rolls of a width exceeding 15 cm;
- (b) in rectangular (including square) sheets with one
side exceeding 36 cm and the other side
exceeding 15 cm, in the unfolded state:

**11 The description of goods in column 2 of subheading
3920.51.00 of Schedule 3**

Repeal the description, substitute:

--Of poly(methyl methacrylate)

12 Subheading 4009.42.10 of Schedule 3

Repeal the subheading, substitute:

4009.42.10	---Of a kind used as components in passenger motor vehicles	15% DC:10% DCS:10% CAN:5%
	From 1 January 2005	10% DC:5% CAN:Free

13 Subheading 4203.21.10 of Schedule 3

Repeal the subheading, substitute:

4203.21.10	---Mittens and mitts, of leather and furskin or of leather and artificial fur	5%
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**14 The description of goods in column 2 of subheading
4410.2 of Schedule 3**

Repeal the description, substitute:

-Oriented strand board and waferboard, of wood:

15 Additional Note 3 to Chapter 48 of Schedule 3

Repeal the Note, substitute:

- 3.- Except where the terms of the subheadings otherwise require, paper, paperboard, cellulose wadding and webs of cellulose fibres answering to a description in two or more of subheadings 4823.90.20 to 4823.90.8 are to be classified under that one of such subheadings which occurs last in numerical order in this Schedule.

16 The description of goods in column 2 of subheading 4802.20.4 of Schedule 3

Repeal the description, substitute:

---Goods, NSA, as follows:

- (a) weighing not more than 22 g/m²;
- (b) weighing more than 205 g/m²;

17 The description of goods in column 2 of subheading 4802.30 of Schedule 3

Repeal the description, substitute:

-Carbonising base paper:

18 The description of goods in column 2 of subheading 4802.56.10 of Schedule 3

Repeal the description, substitute:

---Goods, as follows:

- (a) in strips of a width not exceeding 15 cm;
- (b) in rectangular (including square) sheets in which no side exceeds 36 cm, in the unfolded state;
- (c) in rectangular sheets with one side exceeding 36 cm and the other side not exceeding 15 cm, in the unfolded state

19 The description of goods in column 2 of subheading 4802.57.10 of Schedule 3

Repeal the description, substitute:

---Goods, as follows:

- (a) in strips or rolls of a width not exceeding 15 cm;
- (b) in rectangular (including square) sheets in which no side exceeds 36 cm, in the unfolded state;
- (c) in rectangular sheets with one side exceeding 36 cm and the other side not exceeding 15 cm, in the unfolded state

20 The description of goods in column 2 of subheading 4802.61.10 of Schedule 3

Repeal the description, substitute:

---Not exceeding 15 cm in width

21 The description of goods in column 2 of subheading 4802.61.2 of Schedule 3

Repeal the description, substitute:

---Goods, NSA, not containing fibres obtained by a mechanical process or of which not more than 10% by weight of the total fibre content consists of such fibres, other than goods of 4802.61.4 or 4802.61.5:

22 The description of goods in column 2 of subheading 4802.61.30 of Schedule 3

Repeal the description, substitute:

---Paper, of which more than 10% by weight of the total fibre content consists of fibres obtained by a mechanical process, other than newsprint of 4802.61.4, as follows:

- (a) having a water absorbency, when tested by the one-minute Cobb method, of not less than 45 g/m²;
- (b) containing not less than 70% of mechanical woodpulp; and
- (c) weighing 40 g/m² or more but not more than 62 g/m²

23 The description of goods in column 2 of subheading 4802.61.4 of Schedule 3

Repeal the description, substitute:

---Newsprint, in rolls exceeding 15 cm but not exceeding 36 cm in width:

24 The description of goods in column 2 of subheading 4802.61.5 of Schedule 3

Repeal the description, substitute:

---Goods, NSA, made mainly from pulp obtained by a chemi-mechanical process:

25 The description of goods in column 2 of subheading 4802.62.10 of Schedule 3

Repeal the description, substitute:

---Goods, as follows:

(a) in strips of a width not exceeding 15 cm;

(b) in rectangular (including square) sheets in which no side exceeds 36 cm, in the unfolded state;

(c) in rectangular sheets with one side exceeding 36 cm and the other side not exceeding 15 cm, in the unfolded state

26 The description of goods in column 2 of subheading 4802.62.30 of Schedule 3

Repeal the description, substitute:

---Paper, of which more than 10% by weight of the total fibre content consists of fibres obtained by a mechanical process, other than newsprint of 4802.62.4, as follows:

(a) having a water absorbency, when tested by the one-minute Cobb method, of not less than 45 g/m²;

(b) containing not less than 70% of mechanical woodpulp; and

(c) weighing 40 g/m² or more but not more than 62 g/m²

27 The description of goods in column 2 of subheading 4802.62.5 of Schedule 3

Repeal the description, substitute:

---Goods, NSA, made mainly from pulp obtained by a chemi-mechanical process:

28 The description of goods in column 2 of subheading 4802.69.30 of Schedule 3

Repeal the description, substitute:

---Paper, of which more than 10% by weight of the total fibre content consists of fibres obtained by a mechanical process, other than newsprint of 4802.62.4, as follows:

- (a) having a water absorbency, when tested by the one-minute Cobb method, of not less than 45 g/m²;
- (b) containing not less than 70% of mechanical woodpulp; and
- (c) weighing 40 g/m² or more but not more than 62 g/m²

29 The description of goods in column 2 of subheading 4802.69.5 of Schedule 3

Repeal the description, substitute:

---Goods, NSA, made mainly from pulp obtained by a chemi-mechanical process:

30 The description of goods in column 2 of subheading 4805.93.91 of Schedule 3

Repeal the description, substitute:

----Goods, as follows:

- (a) carton boards and box boards (including strawboard);
- (b) container board (excluding kraft)

31 Subheading 4810.14.2 of Schedule 3

Repeal the subheading, substitute:

- 4810.14.2 ---Goods, NSA, as follows:
- (a) in strips of a width not exceeding 15 cm;
 - (b) in rectangular (including square) sheets in which no side exceeds 36 cm, in the unfolded state;
 - (c) in rectangular sheets with one side exceeding 36 cm and the other side not exceeding 15 cm, in the unfolded state:

32 The description of goods in column 2 of subheading 4810.19.2 of Schedule 3

Repeal the description, substitute:

- Goods, NSA, as follows:
- (a) in strips of a width not exceeding 15 cm;
 - (b) in rectangular (including square) sheets in which no side exceeds 36 cm, in the unfolded state;
 - (c) in rectangular sheets with one side exceeding 36 cm and the other side not exceeding 15 cm, in the unfolded state:

33 The description of goods in column 2 of subheading 4823.90.10 of Schedule 3

Repeal the description, substitute:

- Goods, as follows:
- (a) aseptic paper, not including goods and/or articles of aseptic paper;
 - (b) filters wholly of filter paper;
 - (c) monotype paper;
 - (d) paper for use in wrapping fruit;
 - (e) perforated cards for Jacquard and similar machines

34 The description of goods in column 2 of subheading 4823.90.4 of Schedule 3

Repeal the description, substitute:

---Other uncoated paper and paperboard, not further worked or processed than as specified in Additional Note 6 to this Chapter, in strips or rolls of a width exceeding 15 cm but not exceeding 36 cm, other than goods of 4823.90.5:

35 The description of goods in column 2 of subheading 4823.90.5 of Schedule 3

Repeal the description, substitute:

---Other uncoated paper and paperboard, not further worked or processed than as specified in Additional Note 6 to this Chapter, in strips or rolls of a width exceeding 15 cm but not exceeding 36 cm, other than goods of 4823.90.4:

36 The description of goods in column 2 of subheading 4823.90.53 of Schedule 3

Repeal the description, substitute:

---Weighing more than 205 g/m², as follows:
(a) carton boards and box boards (including strawboard);
(b) container board (excluding kraft)

37 The description of goods in column 2 of subheading 4823.90.8 of Schedule 3

Repeal the description, substitute:

---Paper and paperboard, corrugated (with or without glued flat surface sheets), creped, crinkled, embossed or perforated, other than paper of the kind described in 4803, in strips or rolls of a width exceeding 15 cm but not exceeding 36 cm:

38 Paragraph (b) of Note 4 to Chapter 59 of Schedule 3

Repeal the paragraph, substitute:

(b) Fabrics made from yarn, strip or the like, impregnated, coated, covered or sheathed with rubber, of 5604;

39 The description of goods in column 2 of subheading 8424.90.20 of Schedule 3

Schedule 2 Amendment of the Customs Tariff Act 1995 having effect immediately after the commencement of Schedule 1 to the Customs Tariff Amendment Act (No. 5) 2001

Repeal the description, substitute:

---Of goods of 8424.30.10

Schedule 3—Amendment of the Customs Tariff Amendment Act (No. 5) 2001

Customs Tariff Amendment Act (No. 5) 2001

1 Item 27 of Schedule 1

Omit “Note 2”, substitute “Note 5”.

2 Item 290 of Schedule 1

Omit “Note 3 to Section XVI”, substitute “Note 6 to Chapter 85”.

*[Minister’s second reading speech made in—
House of Representatives on 21 March 2002
Senate on 19 June 2002]*

(80/02)
