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Statutory Rules 1998 No. <sup>1</sup>

277

## Excise Amendment Regulations 1998 (No. 3)<sup>2</sup>

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations under the *Excise Act 1901*.

Dated *25 August* 1998.

**WILLIAM DEANE**  
Governor-General

By His Excellency's Command,

**WARREN ERROL TRUSS**  
Minister for Customs and Consumer Affairs

### 1. Name of regulations

1.1 These regulations are the *Excise Amendment Regulations 1998 (No. 3)*.

### 2. Commencement

2.1 These regulations commence on gazettal.

### 3. Amendment

3.1 The *Excise Regulations 1925* are amended as set out in these regulations.

#### **4. Regulation 50 (Circumstances under which refunds, rebates and remissions are made)**

4.1 After paragraph 50 (1) (zn), insert:

“(zo) duty has been paid on a petroleum product that:

- (i) is a clean fuel; and
- (ii) falls within a classification in item 11 or 12 of the Schedule to the *Excise Tariff Act 1921*; and
- (iii) has been packaged, after delivery into home consumption, into a package of not more than 210 litres capacity; and
- (iv) has been sold, so packaged, for use as a solvent.”.

## 5. Regulation 176 (Exempt blended petroleum products)

5.1 Paragraph 176 (2) (h):

Omit the paragraph, substitute:

“(h) a blend of a petroleum product on which duty has been paid at the rate specified in subparagraph 11 (H) (2) (b) or (c) of the Schedule to the *Excise Tariff Act 1921* and a product used to enhance its octane rating, except a product classified to:

- (i) item 11 or 12 of that Schedule; or
- (ii) if the product is imported — heading 2707, 2709, 2710 or 2902 of Schedule 3 to the *Customs Tariff Act 1995*.”.

## 5.2 Paragraph 176 (2) (i):

After “prepared additives”, insert “, packaged into a package of not more than 10 litres capacity,”.

**6. Regulation 248 (Statement to accompany notice of decision)**

6.1 Subregulation 248 (1):

Omit "or 78A (9)".

**7. Schedule 1**

7.1 Form 37 (heading):

Omit "by the Collector", substitute "by the Regional Director".

7.2 Form 37:

Omit "Collector of Customs" (twice occurring), substitute "Regional Director".

**8. Replacement of references to the Comptroller-General of Customs by references to the Chief Executive Officer**

8.1 Paragraph 29 (2) (b), subparagraphs 50 (1) (w) (ii) and (x) (ii), regulation 78, subregulation 78A (4), regulations 142 and 146, paragraph 186 (2) (d), subregulations 192 (2), 247 (1) and 248 (1):

Omit "Comptroller" (wherever occurring), substitute "CEO".

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**NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on h 1998.

2. Statutory Rules 1925 No. 181 as amended by 1926 No. 70; 1928 No. 131; 1929 Nos. 74, 92 and 97; 1930 No. 71; 1931 Nos. 25 and 43; 1932 Nos. 13, 51, 105 and 129; 1933 Nos. 37 and 103; 1934 Nos. 9, 65 and 76; 1936 Nos. 26, 56 and 99; 1939 Nos. 5, 39, 60, 121 and 169; 1940 Nos. 17 and 48; 1941 No. 313; 1942 Nos. 291, 335 and 387; 1943 Nos. 22 and 140; 1944 No. 173; 1945 No. 103; 1946 No. 89; 1947 Nos. 28 and 85; 1948 Nos. 36 and 95; 1949 No. 96; 1950 No. 16; 1951 Nos. 81 and 123; 1952 No. 97; 1953 No. 86; 1954 Nos. 22 and 109; 1955 Nos. 54 and 65; 1956 No. 128; 1958 Nos. 18 and 87; 1959 No. 76; 1960 Nos. 27 and 77; 1961 No. 61; 1962 Nos. 4, 46 and 108; 1963 No. 147; 1965 No. 195; 1966 Nos. 164 and 174; 1967 No. 172; 1969 Nos. 153, 187 and 205; 1970 Nos. 114 and 142; 1971 Nos. 60, 142 and 171; 1972 Nos. 92 and 209; 1973 No. 258; 1974 Nos. 199 and 207; 1975 No. 162; 1978 Nos. 196 and 275; 1979 No. 279; 1980 Nos. 111 and 374; 1981 Nos. 163, 242 and 275; 1982 Nos. 138 and 254; 1983 No. 306; 1984 Nos. 19, 126, 219 and 320; 1985 Nos. 13, 75, 127, 137, 141, 142, 234, 307 and 357; 1986 Nos. 78, 173, 249, 295 and 338; 1987 No. 28, 123, 161 and 212; 1988 Nos. 135, 216 and 388; 1989 Nos. 61, 102, 158, 307, 327 and 408; 1990 Nos. 7, 124, 218, 221, 223 and 236; 1991 Nos. 110, 317 and 383; 1992 Nos. 62, 327, 345 and 446; 1994 Nos. 81 and 316; 1995 Nos. 100, 314, 351 and 425; 1997 Nos. 340, 384, 388 and 423.

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; 1998 Nos. 274 and 275