

## EXPLANATORY STATEMENT

Issued by the Authority of the Minister for Agriculture, Fisheries and Forestry

### CUSTOMS TARIFF (SAFEGUARD GOODS) NOTICE (No 2) 2006

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Under section 16A of the *Customs Tariff Act 1995*, additional duties can be applied under the Special Agricultural Safeguard (SSG) provisions of the Thailand-Australia Free Trade Agreement (TAFTA) once a specified volume of imports is exceeded in a given calendar year. If the Minister publishes a notice specifying a kind of goods, and that the volume of goods of that kind so imported has been exceeded for the year, the additional duties apply to further imports of the goods in that year. Supplies en route on the basis of a contract settled before the notice is gazetted in the Commonwealth Gazette will be exempted from additional duties but the volume will be counted against next year's special safeguard volume.

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This notice applies to safeguard goods on imports of prepared or preserved tuna from Thailand classified under subheading 1604.14.00 in Schedule 3 to the *Customs Tariff Act*.

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Consultations were undertaken with the Department of Foreign Affairs and Trade and the Australian Customs Service. A formal consultation process with registered industry stakeholders was undertaken in relation to section 17 of the *Legislative Instruments Act 2003*, on the basis that this notice may have an effect on business, and submissions were received from stakeholders by the Department of Agriculture, Fisheries and Forestry. The Office of Regulation Review has advised that a Regulation Impact Statement is not mandatory because the proposal is of an administrative/non regulatory nature.

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## **CUSTOMS TARIFF (SAFEGUARD GOODS) NOTICE (NO. 2) 2006**

### **1. Name of notice**

This item identifies the name of the notice as the *Customs Tariff (Safeguard Goods) Notice (No 2) 2006*.

### **2. Goods to which this notice applies**

In subsection (1) *safeguard goods* has the same meaning as in section 16A of the Tariff Act. The meaning of the Tariff Act is the *Customs Tariff Act 1995*. Subsection 2 applies the notice to safeguard goods classified under subheading 1604.14.00 in Schedule 3 to the *Customs Tariff Act 1995* (that is imports of prepared or preserved tuna from Thailand).

### **3. Quantity of certain goods imported**

This item states that the quantity of goods imported into Australia during 2005 classified under subheading 1604.14.00 in Schedule 3 to the *Customs Tariff Act 1995*, to which this notice applies, has now exceeded the quantity specified in column 3 of the table in subsection 16A (1) of the Tariff Act.