



Customs Tariff Amendment Regulations 2011 (No. 1)¹

Select Legislative Instrument 2011 No. 234

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Customs Tariff Act 1995*.

Dated 7 December 2011

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

BRENDAN O'CONNOR
Minister for Home Affairs

1 Name of Regulations

These Regulations are the *Customs Tariff Amendment Regulations 2011 (No. 1)*.

2 Commencement

These Regulations commence on the commencement of Schedule 1 to the *Customs Tariff Amendment (2012 Harmonized System Changes) Act 2011*.

3 Amendment of *Customs Tariff Regulations 2004*

Schedule 1 amends the *Customs Tariff Regulations 2004*.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 3, after the definition of *Schedule 5 item*

insert

Schedule 7 item means an item in the table in Schedule 7 to the Act.

[2] After regulation 4

insert

4A Schedule 5 to the Act — prescribed goods

For each Schedule 5 item mentioned in an item in Schedule 1A, the goods mentioned in column 3 of that item are prescribed.

Note Subparagraph 16 (1) (k) (i) of the Act provides that the duty in respect of goods classified to a heading or subheading specified in column 2 of a Schedule 5 item is calculated by reference to the rate of duty specified in column 3 of that item. Subsection 16 (2) of the Act provides that, if column 2 of a Schedule 5 item includes ‘(prescribed goods only)’, subparagraph 16 (1) (k) (i) does not apply to the goods mentioned in the item unless the goods are prescribed.

4B Schedule 7 to the Act — prescribed goods

For each Schedule 7 item mentioned in an item in Schedule 1B, the goods mentioned in the item are prescribed.

Note Subparagraph 16 (1) (m) (i) of the Act provides that the duty in respect of goods classified to a heading or subheading specified in column 2 of a Schedule 7 item is calculated by reference to the rate of duty specified in column 3 of that item. Subsection 16 (2A) of the Act provides that, if column 2 of a Schedule 7 item includes ‘(prescribed goods only)’, subparagraph 16 (1) (m) (i) does not apply to the goods mentioned in the item unless the goods are prescribed.

[3] Schedule 1, item 5, column 3

omit

6402.99.20

insert

6402.99.33

[4] Schedule 2, after item 15

insert

16	368	Sanitary articles, as follows:	9619.00.30
	(a)	men’s or boys’ underpants or briefs:	
		(i) knitted or crocheted; or	
		(ii) woven, of cotton;	
	(b)	women’s or girls’ briefs or panties:	
		(i) knitted or crocheted, other than of cotton or man-made fibres; or	
		(ii) woven	

17	369	Sanitary articles, being articles for babies, other than goods of cotton or of synthetic fibres	9619.00.41
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[5] After Schedule 1*insert***Schedule 1A Prescribed goods for Schedule 5 items**

(regulation 4A)

Item	Schedule 5 item	Prescribed goods	Tariff classification in Schedule 3 to Act
1	954	Goods, other than goods of plastic	9619.00.49
2	955	Goods, other than non-wovens	9619.00.90

Schedule 1B Prescribed goods for Schedule 7 items

(regulation 4B)

Item	Schedule 7 item	Prescribed goods	Tariff classification in Schedule 3 to Act
1	674	Goods, other than non-wovens	9619.00.90

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.