

Customs (International Obligations) Amendment (Australia‑United Kingdom Free Trade Agreement Implementation) Regulations 2022

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 24 November 2022

David Hurley

Governor‑General

By His Excellency’s Command

Clare O’Neil

Minister for Home Affairs

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1 Name

This instrument is the *Customs (International Obligations) Amendment (Australia‑United Kingdom Free Trade Agreement Implementation) Regulations 2022*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The later of:  (a) the day after this instrument is registered; and  (b) the day on which Schedule 1 to the *Customs Amendment (Australia‑United Kingdom Free Trade Agreement Implementation) Act 2022* commences. | 31 May 2023  (paragraph (b) applies) |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Customs Act 1901*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Customs (International Obligations) Regulation 2015

1 Section 4

Insert:

***UK originating goods*** has the meaning given by subsection 153ZRB(1) of the Act.

2 Section 23 (at the end of the table)

Add:

|  |  |  |
| --- | --- | --- |
| 19 | UK originating goods | Duty has been paid on the goods. |
| 20 | Goods that would have been UK originating goods if, at the time the goods were imported, the importer held:  (a) a declaration of origin (within the meaning of subsection 153ZRB(1) of the Act), or a copy of one, for the goods; or  (b) other documentation to support that the goods are originating | Duty has been paid on the goods and, at the time of making the application for the refund, the importer holds:  (a) a declaration of origin (within the meaning of subsection 153ZRB(1) of the Act), or a copy of one, for the goods; or  (b) other documentation to support that the goods are originating. |

3 At the end of section 24

Add:

; or (j) the goods mentioned in item 19 or 20 of the table in section 23 are UK originating goods.

4 Subsection 31(2) (paragraph (a) of the definition of *duty payable*)

Omit “or 17”, substitute “, 17 or 19”.

5 Subsection 31(2) (paragraph (b) of the definition of *duty payable*)

Omit “or 18”, substitute “, 18 or 20”.

6 Subsection 31(2) (at the end of the definition of *relevant originating goods*)

Add:

; (j) UK originating goods.