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TARIFF CONCESSIONS

CONTENTS

TCO Applications	2
TCO Applications Reworded.....	5
TCO Applications Refused.....	6
TCOs Made.....	7
Local Manufacturer Initiated - TCO Revocation Requests	8
Customs Initiated - TCOs Revoked	9
Customs Initiated Intention to Revoke TCO's.....	10
Intention to Revoke TCO's	11
Consultation – Legislative Proposal	12

The Australian Customs and Border Protection Service (Customs and Border Protection) publishes the Commonwealth of Australia Tariff Concessions Gazette (the Tariff Concessions Gazette) free of charge on the Customs internet site at: <http://www.customs.gov.au>

Please select “tariff”, then “tariff concessions gazette”.

The gazettes are listed in date order and may be selected from the list of Adobe (PDF) file.

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CUSTOMS ACT 1901 - NOTICE PURSUANT TO SECTION 269K(1) - APPLICATIONS MADE FOR TARIFF CONCESSION ORDERS

Applications have been lodged for Tariff Concession Orders for the goods described in the following TABLE.

Australian manufacturers who wish to contest the granting of a Tariff Concession Order for the goods described are invited to lodge a submission in writing in an approved form. Submissions must be lodged within 50 days of the date of publication of this Notice.

The operative date (Op.) and TC reference number follow the description of goods.

To assist local manufacturers, the use(s) to which the goods can be put follow the description of goods.

Submission forms are available from Custom Houses throughout Australia or on the Customs web site www.customs.gov.au.

For guidance on the required description style, phone 02 6275 6404, fax 02 6275 6376 or email tarcon@customs.gov.au.

THE TABLE

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number General Duty Rate
3924.10.00 SETS, KITCHENWARE, consisting of ALL of the following: (a) icing AND/OR cookie shaping gun; (b) icing nozzles; (c) cookie discs Op. 30.09.14	50 - TC 1434322
Stated Use: Icing or decorating baked goods and to press dough into shapes for baking	
Applicant: MCPHERSON'S CONSUMER PRODUCTS PTY LTD	5%
3926.90.90 POTS AND/OR POT HOLDERS, PAINT, having BOTH of the following: (a) volume capacity NOT greater than 500 ml; (b) grooved plastic lids Op. 30.09.14	50 - TC 1434381
Stated Use: To hold paint in during art and craft activities	
Applicant: MODERN TEACHING AIDS PTY LTD	5%
4819.40.00 BAGS, BAKERY, paper, incorporating a plastic transparent window Op. 30.09.14	50 - TC 1434456
Stated Use: To transport, store and display baked goods such as bread and buns	
Applicant: COLES SUPERMARKETS AUSTRALIA PTY LTD	5%
7210.69.00 STEEL COILS OR SHEETS, aluminium silicon alloy coated, conforming to European Standard 10346 (EN 10346), having ANY combination of the following: (a) qualities having ANY of the following: (i) bending and profiling conforming to DX51D+AS; (ii) drawing conforming to DX52D+AS; (iii) deep drawing conforming to DX53D+AS; (iv) special deep drawing conforming to DX54D+AS, (b) coating weights conforming to EITHER of the following: (i) AS80;	50

(Continued on next page)

Description of Goods including the Customs Tariff Classification		Schedule 4 Item Number General Duty Rate
8419.90.00	PARTS, RECUPERATOR, STEEL MANUFACTURING FURNACE, being recuperator tube bundles Op. 22.09.14 Stated Use: Heating of air going into steel manufacturing furnace using waste exhaust gases from the furnace Applicant: ONESTEEL MANUFACTURING PTY LTD	50 - TC 1433795 5%
8429.59.90	BACKHOE LOADERS, tracked, having BOTH of the following: (a) side shifting backhoe; (b) maximum diesel engine power NOT less than 32 kW Op. 16.09.14 Stated Use: For excavating, digging and loading of earth materials on construction sites Applicant: C.F.C. HOLDINGS PTY LTD	50 - TC 1433075 5%
8479.89.90	REMINERALISATION SYSTEM, DESALINATED WATER, programmable logic controlled, including ALL of the following: (a) static mixer with CO2 gas injector; (b) calcite solution dosing vessel; (c) support structure frame; (d) control panel; (e) valves; (f) piping Op. 24.09.14 Stated Use: To remineralise desalinated water for drinking purposes and to prevent corrosion of pipes Applicant: YARA PILBARA NITRATES PTY LTD	50 - TC 1434012 5%
8504.40.90	CHARGERS, BATTERY, AC TO DC, having an output voltage NOT greater than 10 V Op. 30.09.14 Stated Use: Used to charge batteries Applicant: MODERN TEACHING AIDS PTY LTD	50 - TC 1434382 5%
9503.00.20	DOLLS, with OR without ANY of the following: (a) clothes; (b) shoes; (c) hats; (d) diapers Op. 30.09.14 Stated Use: Children's toy for entertainment and recreational purposes Applicant: MODERN TEACHING AIDS PTY LTD	50 - TC 1434452 5%
9503.00.20	HUMAN FIGURINES, plastic Op. 30.09.14 Stated Use: For decorative and/or recreational purposes Applicant: MODERN TEACHING AIDS PTY LTD	50 - TC 1434455 5%

CUSTOMS ACT 1901**NOTICE PURSUANT TO SECTION PARAGRAPH 269L(4B) (b) - PROPOSAL TO AMEND DESCRIPTION OF GOODS FOLLOWING AN
OBJECTION SUBMISSION**

Amended description has been proposed for the Tariff Concession Order application shown in the following TABLE.

Australian manufacturers who consider that there are reasons why the Tariff Concession Order as proposed to be amended should not be made are invited to lodge a submission. Submissions must be lodged no later than 14 days after the publication of this Notice.

The operative date (Op.) and TC reference number follow the description of goods.

To assist local manufacturers, the use(s) to which the goods can be put follow the description of goods.

THE TABLE

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number
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8426.20.00 TOWER CRANES, A-frame, hammerhead, electric powered, having ALL of the following: (a) height NOT greater than 85 m; (b) jib reach NOT greater than 80 m; (c) maximum load lifting capacity NOT greater than 6 t at 80 m jib reach; (d) maximum load lifting capacity NOT greater than 36 t Op. 27.06.14	50 - TC 1421658
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Stated Use:
For lifting and lowering materials in building construction sites

Applicant: TITAN CRANES AND RIGGING PTY LTD

CUSTOMS ACT 1901**NOTICE PURSUANT TO SECTION 269R(1) - APPLICATIONS FOR TARIFF CONCESSION ORDERS REFUSED**

Applications for Tariff Concession Orders for the goods described in the following TABLE have been refused.

THE TABLE

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number
8428.90.00 WHARF TO SHIP LOADING TRACK AND/OR RAIL MOUNTED CONVEYING MACHINES, including BOTH of the following: (a) track AND/OR rail operated base; (b) conveyor Op. 29.04.14 Reason for refusal: Substitutable goods produced in Australia in the ordinary course of business by Nepean Conveyors Pty Ltd, Unanderra, NSW	50 - TC 1414044
8428.90.00 SHIPLOADERS, including ALL of the following: (a) conveyors; (b) transformers; (c) electric motors; (d) pulleys; (e) chutes, with OR without ANY of the following: (i) gear box; (ii) conveyor belts; (iii) couplings; (iv) boom; (v) control panel Op. 03.07.14 Reason for refusal: Substitutable goods produced in Australia in the ordinary course of business by Nepean Conveyors Pty Ltd, Unanderra, NSW	50 - TC 1422922
8712.00.00 RECUMBENT TRIKES, three wheeled, pedal operated Op. 08.05.14 Reason for refusal: Substitutable goods manufactured in Australia in the ordinary course of business by Greenspeed Pty Ltd, Knoxfield, Vic	50 - TC 1415454
9503.00.70 TOYS, soft, non-Australian native animal AND non-human creature, having a length NOT less 35 cm and NOT greater than 55 cm, with OR without ANY of the following: (a) pens; (b) stencils; (c) stickers Op. 06.05.14 Reason for refusal: Substitutable goods produced in Australia in the ordinary course of business by Jozzies Australia Pty Ltd, Thirlmere, NSW	50 - TC 1415060

CUSTOMS ACT 1901 - NOTICE PURSUANT TO SECTION 269R(1) - TARIFF CONCESSION ORDERS MADE

Tariff Concession Orders have been made for the goods described in the following TABLE.

The operative date (Op.) and TC reference No. follow the description of goods. Local manufacturers of substitutable goods may request the revocation of TCOs at any time.

THE TABLE

Description of Goods including the Customs Tariff Classification		Schedule 4 Item Number Last Date of Effect	
3215.11.00	INKS, HEATSET PRINTING Op. 04.08.14	Dec. date 27.10.14	- TC 1426776 50
3215.19.00	INKS, HEATSET PRINTING Op. 04.08.14	Dec. date 27.10.14	- TC 1426779 50
3901.20.00	RESINS, high density polyethylene, specific gravity NOT less than 0.941 and NOT greater than 0.948, silane grafted, cross-linkable Op. 24.06.14	Dec. date 27.10.14	- TC 1421242 50
3926.90.90	WASHERS, SPLIT, polyoxymethylene Op. 01.08.14	Dec. date 27.10.14	- TC 1426625 50
7318.11.00	COACH SCREWS, rectangular OR square head, electroplated OR zinc galvanized carbon steel Op. 01.07.14	Dec. date 23.10.14	- TC 1422214 50
7326.90.90	CABLE CLEATS, stainless steel, including ALL of the following: (a) polymeric liner; (b) single OR trefoil OR quad OR bundled retention; (c) conforming to International Electrotechnical Commission Standard 61914:2009 (IEC 61914:2009) Op. 05.08.14	Dec. date 27.10.14	- TC 1427029 50
8421.22.00	FILTRATION SYSTEM, including ALL of the following: (a) filtration membrane modules; (b) membrane cleaners; (c) valve manifolds; (d) pipes Op. 28.05.14	Dec. date 27.10.14	- TC 1418124 50
8424.90.90	PARTS, SPRAY NOZZLE, tungsten carbide, being EITHER of the following: (a) orifices; (b) involutes Op. 30.07.14	Dec. date 27.10.14	- TC 1426146 50
8428.39.00	DIVERT AND/OR MERGE CONVEYORS, including BOTH of the following: (a) 30 degree driven roller junction; (b) powered pop-up wheel module Op. 05.08.14	Dec. date 27.10.14	- TC 1426973 50
8428.39.00	CONVEYORS, ROLLER OR CHAIN, having BOTH of the following: (a) ceramic AND/OR steel lined side guides; (b) chain conveyor maximum operating temperature exceeding 295 degrees Celsius, with OR without EITHER of the following: (i) chain conveyor to roller conveyor transfer wheels; (ii) roller conveyor to chain conveyor transfer wheels Op. 08.08.14	Dec. date 27.10.14	- TC 1427637 50

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number Last Date of Effect
8428.90.00 HANDLING SYSTEM, IMMUNOASSAY AND/OR CHEMICAL SAMPLE TEST TUBE, programmable logic controlled, whether OR not assembled, including ALL of the following: (a) control interface; (b) test tube holding racks; (c) sample test tube cap remover; (d) conveyor belts AND sample tube carriers; (e) bar code sensors Op. 01.08.14	50 Dec. date 27.10.14 - TC 1426623
8464.10.00 SAWS, FIBRE CEMENT PANEL CUTTING AND/OR GROOVING, programmable logic controlled, Op. 05.08.14	50 Dec. date 27.10.14 - TC 1427116
8716.90.00 STEEL RIMS, TUBELESS TYRE, one piece assembly, demountable, in BOTH of the following sizes: Imperial Size/Industry Size (in inches) Metric Size (in mm) 8.25 x 22.5 209.55 x 571.5 9.00 x 22.5 228.6 x 571.5 Op. 25.06.14	50 Dec. date 27.10.14 - TC 1421481
8716.90.00 WHEELS, TUBELESS TYRE, steel disc centre, one piece assembly, in BOTH of the following sizes: Imperial Size/Metric Size (in inches) Metric Size (in mm) 8.25 x 22.5 209.55 x 571.5 9.00 x 22.5 228.6 x 571.5 Op. 25.06.14	50 Dec. date 27.10.14 - TC 1421482
8716.90.00 SPACER BANDS, DEMOUNTABLE STEEL RIM, TUBELESS TYRE, corrugated, in BOTH of the following sizes: Imperial Size/Industry Size (in inches) Metric Size (in mm) 4.00 x 20 101.6 x 508 4.25 x 20 107.95 x 508 Op. 25.06.14	50 Dec. date 27.10.14 - TC 1421483

NOTIFICATION OF AN AUSTRALIAN INDUSTRY REVOCATION REQUEST - SECTION 269SC(1A) CUSTOMS ACT

An application has been lodged for revocation of the Tariff Concession Order set out in the following TABLE.

The Lodgement Request Date shown in the table below is the intended revocation date for the Tariff Concession Order which will take effect should the application for revocation be successful.

Importations not covered by in-transit provisions may be subject to post action as any decision to revoke an order is backdated to the date of request for revocation.

THE TABLE

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number Lodgement Request Date
9506.99.90 SWIMMING POOL, INFLATABLE Op. 03.02.06	50 Dec. date 18.04.06 - TC 0603415 17.10.14

CUSTOMS ACT 1901**TARIFF CONCESSION ORDER REVOCATION AT THE INITIATIVE OF CUSTOMS**

The Tariff Concession Orders listed in THE TABLE below have been revoked.

THE TABLE

Description of Goods including the Customs Tariff Classification		Schedule 4 Item Number Last Date of Effect	
3924.10.00	BAGS, ICING, plastic, disposable Op. 14.10.13	Dec. date 30.12.13	- TC 1334323 50 22.10.14
Order revoked following intention to revoke advertised by the CEO in Tariff Concessions Gazette TC 14/37, 24 September 2014. In transit provisions apply			
3926.90.90	TOWEL, polyvinyl alcohol chamois, sports Op. 14.05.93	Dec. date 20.08.93	- TC 9304856 50 22.10.14
Order revoked following intention to revoke advertised by the CEO in Tariff Concessions Gazette TC 14/37, 24 September 2014. In transit provisions apply			

CUSTOMS ACT 1901**INTENTION TO REVOKE TARIFF CONCESSION ORDERS**

It is intended to revoke the Tariff Concession Order for the goods described in the following TABLE.

The Chief Executive Officer's (CEO's), delegate has declared the intention, subject to s.269SD(1AB), to make an order revoking the TCO in the table below with effect from Thursday 27 November 2014. On 27 October 2014, the CEO's delegate formed the belief in respect of the TCO, that if the TCO was not in force on that day, and an application for the TCO was made on that day, the CEO would not have made the TCO.

That is because the TCOs are considered to be unnecessary. A TCO is considered to be unnecessary if the goods covered by that TCO can be imported under another, often more recent, TCO that often covers a broader range of goods.

Importers and customs brokers will not be disadvantaged by the revocation action, as TCOs will continue to apply to the same range of goods. Before attempting to use a TCO, an importer or customs broker should check the list of concessional instruments to ensure that the TCO still exists.

Interested parties are invited to provide, by close of business Wednesday 26 November 2014, written reasons why the TCOs should not be revoked.

Contact: email tarcon@customs.gov.au , fax 02 6275 6376 or telephone 02 6122 5540.

For information on these Customs initiated revocations see Australian Customs Notice (ACN) 2003/68 available for free on the Customs and Border Protection website:
<http://www.customs.gov.au/webdata/resources/notices/ACN03610.pdf>

THE TABLE

Intention	Concession Number	Tariff Classification	Description
RETAIN	1139626	9608.20.00	MARKER PENS
REVOKE (1 of 4)	9900487	9608.20.00	MARKER PENS, PERMANENT INK, being EITHER of the following: (a) water based ink, 2 mm acrylic point; (b) fabric marker, spirit based ink, 2 mm point
REVOKE (2 of 4)	0201626	9608.20.00	MARKERS, WHITEBOARD, FLUORESCENT, alcohol based xylene free dry erase ink, having an aluminium barrel and a bullet nib NOT exceeding 4 mm diameter
REVOKE (3 of 4)	0201627	9608.20.00	MARKERS, PERMANENT, FREEZER BAG, xylene free waterproof ink, having an aluminium barrel and a polyester tip
REVOKE (4 of 4)	0201629	9608.20.00	MARKERS, PERMANENT, waterproof ink, refillable, with an aluminium barrel and bonded fibre chisel tip, having ANY of the following nib widths: (a) 10 mm - 14 mm; (b) 15 mm - 24 mm; (c) 25 mm - 35 mm

CUSTOMS ACT 1901**INTENTION TO REVOKE A TARIFF CONCESSION ORDER**

It is intended to revoke the Tariff Concession Orders (TCO) for the goods described in the following TABLE.

The Chief Executive Officer's (CEO's), delegate has declared the intention, subject to s.269SD(1AA), to make an order revoking the TCOs in the table below with effect from 29 October 2014. On 29 October 2014, the CEO's delegate formed the belief in respect of the TCO, that if the TCO was not in force on that day, and an application for the TCO was made on that day, the CEO would not have made the TCO.

The intention to revoke is because the delegate has formed a belief that the wording of the TCOs does not contain a full description of the goods and that the goods are described in terms of end use.

Interested parties are invited to provide, by close of business Wednesday 26 November 2014, written reasons why the TCOs should not be revoked.

Contact: email tarcon@customs.gov.au, fax 02 6275 6376 or telephone 02 6275 6041.

THE TABLE

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number
8210.10. PROCESSORS, food, hand operated, having ALL of the following functions: (a) chopping; (b) crushing; (c) grating; (d) rasping; (e) slicing but NOT including pepper or salt grinding mills Op. 13.09.91	50

- TC 9107322

CONSULTATION - LEGISLATIVE PROPOSAL: DEREGULATION

Public comment is sought on a proposal to remove a redundant provision in the *Customs Act 1901* that requires manufacturers to supply details of their manufacturing costs when seeking to revoke a Tariff Concession Order (TCO), or objecting to the making of a TCO.

Background

Australian manufacturers have the right to apply to revoke a Tariff Concession Order or to object to the making of a new Tariff Concession Order. To do so, Australian manufacturers must meet two tests relating to their production. They are required to provide evidence that at least 25% of factory costs occur in Australia and demonstrate that a substantial process of manufacture occurs in Australia.

In the last 100 cases where the Australian manufacturer demonstrated that a substantial process of manufacture occurred in Australia, they always easily exceeded the 25% costs test. The costs' test is therefore unnecessary and imposes a significant financial workload on Australian manufacturers. Provision of costings is time-consuming as balance sheets, accounting worksheets, sales invoices and other commercial-in-confidence material may be required. Additional costs can be incurred if cases are subsequently contested in the Administrative Appeals Tribunal and it becomes necessary to seek to maintain confidentiality of costing information.

The use of a single test will align the TCS with Australia's anti-dumping legislation, which requires Australian manufacturers to meet only one test - that they can demonstrate a substantial process of manufacture occurs in Australia.

Legislative change proposed

Paragraph 269D(1) (b) of the *Customs Act 1901* requires that in order for goods to be regarded as "produced in Australia" the sum of the value of Australian labour, Australian materials and factory overhead costs must not be less than 25% of the factory costs of the goods.

It is proposed that this paragraph be removed from section 269D. This will simplify the objection/revocation process while retaining the core requirement that an Australian manufacturer must undertake a substantial process of manufacture in Australia. Consequential amendments to delete subsections 269D(4) and (5) would also be required.

Making a submission

Australian Customs and Border Protection Service is inviting stakeholder comment on a proposal to amend legislation in Part XVA of the *Customs Act 1901*. The proposal has been developed as part of the Government's deregulation agenda.

Feedback will be taken into account in the development of final proposals to the government.

Closing date for submissions is 5 November 2014.

Submissions should be addressed to tarconconsult@customs.gov.au or to:

Director, Industry Assistance
Trade and Customs Division
5 Constitution Avenue
Canberra ACT 2601

Customs and Border Protection will treat submissions as public documents, and will publish them on its website unless the author expressly states that they would like all or part of the submission to remain in confidence.

Note that the Disability and Discrimination Act requires that all information published on the website be accessible to all. Therefore we prefer all submissions to be sent to us both in PDF (unsecured) and in Word or RTF. If you choose not to attach an accessible version of your submission, we will contact you if a request for an accessible version is received.

Please ensure that your submission does not include any personal information such as home address and phone number.

As this information is intended to inform government decision-making, it is possible that Customs and Border Protection may make submissions available to other Commonwealth Government departments. Any submission received may be subject to requests for disclosure under the Freedom of Information Act 1982.

Please direct any enquiries about this matter to the Director, Industry Assistance, Australian Customs and Border Protection Service on 02 6245 5492.