



## DEPARTMENT OF IMMIGRATION AND BORDER PROTECTION NOTICE

No.2017/27

### ***Customs Tariff Amendment (Incorporation of Proposal and Other Measures) Act 2017***

This notice sets out the amendments to the *Customs Tariff Act 1995* (the Customs Tariff Act) made by the *Customs Tariff Amendment (Incorporation of Proposal and Other Measures) Act 2017* (the Amendment Act). The Amendment Act received the Royal Assent on 16 August 2017. The Amendment Act contains five measures, with various commencement dates.

The Online Tariff will be updated prior to the commencement of the amendments.

#### **Retrospective Commencement – 1 January 2017**

##### *Incorporation of Customs Tariff Proposal (No. 1) 2017*

The Amendment Act incorporates Customs Tariff Proposal (No. 1) 2017 to ensure that the correct rate of customs duty of 'Free' is applied to tariff subheading 6907.30.10. This amendment is retrospective and is taken to have commenced on 1 January 2017, the same day that Customs Tariff Proposal (No. 1) 2017 commenced.

##### *Extending concessional arrangements for automotive prototypes*

Item 39 of Schedule 4 to the Customs Tariff Act provides a 'Free' rate of duty for eligible vehicles and components for use in testing, quality control, manufacturing evaluation or engineering development of motor vehicles or components. Currently the concessional rate of customs duty for these goods is only available to motor vehicle producers registered under the Automotive Transformation Scheme.

The Amendment Act extends the scope of eligible importers to include automotive service providers registered under the Automotive Transformation Scheme. The revised text of Item 39 is at [Attachment A](#).

This measure was included in the 2017-18 Budget and is taken to have commenced on 1 January 2017. Automotive service providers that imported eligible goods between 1 January 2017 and 16 August 2017, or before 1 January 2017 but where the date for working out the duty had not occurred before 1 January 2017, will be able to apply for a refund through the standard procedures.

#### **13 September 2017 Commencement**

##### *Machining centre of 8465.20*

The Amendment Act alters the structure of the tariff subheadings under 8465.20 to simplify the classification of machining centres capable of performing multiple machining operations with an automatic tooling change. The Amendment Act repeals tariff subheadings 8465.20.10 to 8465.20.60, inclusive, and replaces them with 8465.20.70 and 8465.20.80. The text of the new tariff subheadings

and statistical codes are provided at [Attachment A](#). These amendments will commence on 13 September 2017.

The two-way concordance for these amendments is set out below:

Prior to 13 Sep 2017	After 13 Sep 2017	After 13 Sep 2017	Prior to 13 Sep 2017
8465.20.10	8465.20.80	8465.20.70	8465.20.40
8465.20.20	8465.20.80		8465.20.50
8465.20.30	8465.20.80		8465.20.60
8465.20.40	8465.20.70	8465.20.80	8465.20.10
8465.20.50	8465.20.70		8465.20.20
8465.20.60	8465.20.70		8465.20.30

### *Paraquat dichloride*

The chemical herbicide commonly referred to as paraquat dichloride is classified to tariff subheading 2933.39.00. Additional Note 2 of Chapter 29 of the Customs Tariff Act allows paraquat dichloride containing an added emetic for safety reasons, but that remains suitable for general use, to also be classified to tariff subheading 2933.39.00.

A recent World Customs Organisation decision has made Additional Note 2 invalid. To ensure Australia's classification for these goods is consistent with international practice, the Amendment Act repeals Additional Note 2 of Chapter 29 resulting in the reclassification of paraquat dichloride with an added emetic to Chapter 38. To maintain customs duty rates tariff subheading 3808.93.00 will be repealed and replaced with tariff subheadings 3808.93.10 and 3808.93.90. The text of the new tariff subheadings and the statistical codes are provided at [Attachment A](#).

The two-way concordance for these amendments is set out below:

Prior to 13 Sep 2017	After 13 Sep 2017	After 13 Sep 2017	Prior to 13 Sep 2017
2933.39.00	2933.39.00	3808.93.10	2933.39.00
	3808.93.10		
3808.93.00	3808.93.90	3808.93.90	3808.93.00

The Department of Immigration and Border Protection has identified 41 Tariff Concession Orders (TCOs) which will be affected by the implementation of these amendments. [Attachment B](#) lists existing TCOs affected by the changes. The details of the affected TCOs will be published in the Commonwealth of Australia Tariff Concessions Gazette on 13 September 2017.

The Department will void 95 Tariff Advices affected by the implementation of these amendments at 23:59 on 12 September 2017. Individual importers will be notified by mail that their Tariff Advices will become void.

Applications for new Tariff Advices can be submitted through the Department's TAPIN system on or after 13 September 2017.

The classification of paraquat dichloride not containing an emetic is unchanged by these amendments.

### *Technical amendments*

The Amendment Act will correct the number of dashes preceding the descriptions of tariff subheadings 4105.30.00 and 5212.2. These technical amendments will not affect the classification of goods. These amendments will commence on 13 September 2017.

## **1 January 2018 Commencement**

The Amendment Act will repeal the \$12,000 special duty on used and second-hand motor vehicles classified to relevant tariff subheadings in Chapter 87 of the Customs Tariff Act. Corresponding amendments will also be made to Schedule 5 and Schedule 11, which cover United States originating goods and Japanese originating goods respectively. This measure will commence on 1 January 2018.

(Signed)  
David Coyles  
Acting Assistant Secretary  
Trade and Customs Branch  
8 September 2017

(Signed)  
Stephen Hledik  
Acting Commander  
Customs Compliance Branch  
8 September 2017

**Text of amendments to the Customs Tariff Act 1995**

**Amended text of Item 39 in Schedule 4**

Item	Description of goods	Rate of duty
39	<p>Goods, as prescribed by by-law, that are for use in the testing, quality control, manufacturing evaluation or engineering development of:</p> <p>(a) motor vehicles manufactured by motor vehicle producers registered under the Automotive Transformation Scheme (within the meaning of the <i>Automotive Transformation Scheme Act 2009</i>) or original equipment components for inclusion in such motor vehicles; or</p> <p>(b) motor vehicles designed or engineered, or in the process of being designed or engineered, in Australia by motor vehicle producers, or automotive service providers, registered under the Automotive Transformation Scheme (within the meaning of the <i>Automotive Transformation Scheme Act 2009</i>) or components for inclusion in such motor vehicles</p>	Free

**Text of new tariff subheadings under 8465.20**

Tariff subheading	Statistical code	Unit	Description	Rate of duty
8465.20.70	22	NO	<p>---Machining centres that perform 2 or more of the following:</p> <p>(a) bending;</p> <p>(b) assembling;</p> <p>(c) drilling;</p> <p>(d) morticing;</p> <p>(e) splitting;</p> <p>(f) slicing;</p> <p>(g) paring</p>	Free
8465.20.80	27	NO	<p>---Machining centres that perform 2 or more of the following:</p> <p>(a) sawing;</p> <p>(b) planing;</p> <p>(c) milling;</p> <p>(d) moulding (by cutting);</p> <p>(e) grinding;</p> <p>(f) sanding;</p> <p>(g) polishing</p>	5%

**Text of the new tariff subheadings under 3808.93**

<b>Tariff subheading</b>	<b>Statistical code</b>	<b>Unit</b>	<b>Description</b>	<b>Rate of duty</b>
3808.93			-- Herbicides, anti-sprouting products and plant-growth regulators:	
3808.93.10	30	KG	--- Paraquat dichloride with added emetic but not further prepared	Free
3808.93.90			--- Other	5%
			<i>Containing bromomethane (methyl bromide) or bromochloromethane:</i>	
	35	KG	<i>.Goods with a basis of 2,4-dichlorophenoxyacetic acid, its salts or esters</i>	
	36	KG	<i>.Goods with a basis of: (a) chlorsulphuron (C<sub>12</sub>H<sub>12</sub>ClN<sub>5</sub>O<sub>4</sub>S); or (b) metsulphuron methyl (C<sub>14</sub>H<sub>15</sub>N<sub>5</sub>O<sub>6</sub>S)</i>	
	34	KG	<i>.Other</i>	
			<i>Other</i>	
	41	KG	<i>.Goods wholly of, or with a basis of 2,4-dichlorophenoxyacetic acid, its salts or esters</i>	
	42	KG	<i>.Goods wholly of, or with a basis of: (a) chlorsulphuron (C<sub>12</sub>H<sub>12</sub>ClN<sub>5</sub>O<sub>4</sub>S); or (b) metsulphuron methyl (C<sub>14</sub>H<sub>15</sub>N<sub>5</sub>O<sub>6</sub>S)</i>	
	47	KG	<i>.Containing methazole (CAS 20354-26-1) or tribufos (CAS 78-48-8)</i>	
53	KG	<i>.Other</i>		

**Note:** Statistical code 91 'Other' for tariff subheading 2933.39.00 will be closed on 12 September 2017 and replaced with statistical code 92 'Other' from 13 September 2017 onwards.

<b>TCO concordance</b>				
<b>TCOs to be revoked and reissued for 13 September 2017</b>				
<b>Current classification</b>	<b>Current TCO No.</b>	<b>Brief Description</b>	<b>New classification</b>	<b>New TCO No.</b>
3808.93.00	TC 0614093	HERBICIDES, having a basis of phenmedipham	3808.93.90	TC 1791766
3808.93.00	TC 0614094	GROWTH REGULATORS, with active constituent being 1,1 dimethyl piperidinium chloride	3808.93.90	TC 1791770
3808.93.00	TC 0614101	HERBICIDES, having a basis of halosulfuron-methyl	3808.93.90	TC 1791778
3808.93.00	TC 0614103	METRIBUZIN, wettable powder at 75% strength, herbicide, group C	3808.93.90	TC 1791779
3808.93.00	TC 0614104	METSULFURON-METHYL, wettable powder at 60% strength, a member of the sulfonyl urea herbicides, group B	3808.93.90	TC 1791781
3808.93.00	TC 0614105	CHLORSULFURON, wettable powder at 75% strength, a member of the sulfonyl urea herbicides, group B	3808.93.90	TC 1791784
3808.93.00	TC 0614106	TRIASULFURON, water dispersible granule at 75% strength, a member of the sulphonyl urea herbicides, group B	3808.93.90	TC 1791788
3808.93.00	TC 0614107	HERBICIDE, group B, dry flowable, being 72.5% to 77.5% sulfometuron-methyl	3808.93.90	TC 1791793
3808.93.00	TC 0614108	HERBICIDE, group C, dry flowable, being 72.5% to 77.5% metribuzin	3808.93.90	TC 1791797
3808.93.00	TC 0614110	HERBICIDES, having a basis of ethofumesate	3808.93.90	TC 1791799
3808.93.00	TC 0614111	HERBICIDE, group C, water dispersible granules, being 72.5% to 77.5% hexazinone	3808.93.90	TC 1791800
3808.93.00	TC 0614112	HERBICIDES, having a basis of sulfosulfuron	3808.93.90	TC 1791805
3808.93.00	TC 0614113	HERBICIDE, having a basis of carfentrazone-ethyl	3808.93.90	TC 1792229
3808.93.00	TC 0614114	HERBICIDES, having a basis of isoxaflutole	3808.93.90	TC 1792232
3808.93.00	TC 0614118	FLUPROPANATE, TECHNICAL	3808.93.90	TC 1792234
3808.93.00	TC 0614119	HERBICIDES, based on a mixture of triasulfuron and butafenacil	3808.93.90	TC 1792238
3808.93.00	TC 0614172	GIBBERELLINS and preparations based thereon	3808.93.90	TC 1792240
3808.93.00	TC 0803406	HERBICIDES, comprising BOTH of the following active ingredients:	3808.93.90	TC 1792244
3808.93.00	TC 0812996	HERBICIDES, having a basis of fluazifop-p-butyl	3808.93.90	TC 1792245
3808.93.00	TC 0813997	HERBICIDES, having a basis of trifloxysulfuron sodium	3808.93.90	TC 1792247
3808.93.00	TC 0818097	HERBICIDES, GROWTH REGULATOR, having a basis of trinexapac	3808.93.90	TC 1792249
3808.93.00	TC 0818889	HERBICIDES, having a basis of paraquat dichloride	3808.93.90	TC 1792259
3808.93.00	TC 0830750	HERBICIDE, having the active ingredient terbacil	3808.93.90	TC 1792266
3808.93.00	TC 0836839	HERBICIDES, having an active ingredient of methyl sulfanilylcarbamate	3808.93.90	TC 1792271

<b>Current classification</b>	<b>Current TCO No.</b>	<b>Brief Description</b>	<b>New classification</b>	<b>New TCO No.</b>
3808.93.00	TC 0947008	HERBICIDES, having a basis of norflurazon	3808.93.90	TC 1792276
3808.93.00	TC 0949277	HERBICIDES, having a basis of linuron	3808.93.90	TC 1792279
3808.93.00	TC 1110728	HERBICIDES, having an active constituent of prodiamine	3808.93.90	TC 1792284
3808.93.00	TC 1113796	HERBICIDES, having a basis of terbuthylazine	3808.93.90	TC 1792288
3808.93.00	TC 1236324	HERBICIDES, soluble granule, having a basis of clopyralid present as the potassium salt	3808.93.90	TC 1792549
3808.93.00	TC 1237609	PLANT GROWTH REGULATORS, having a basis of chlormequat chloride	3808.93.90	TC 1792552
3808.93.00	TC 1242279	HERBICIDES, technical intermediate, having a basis of NOT less than 37% clethodim	3808.93.90	TC 1792553
3808.93.00	TC 1326038	HERBICIDES, water dispersible granule, having NOT less than 87.5% and NOT more than 92.5% propyzamide	3808.93.90	TC 1792559
3808.93.00	TC 1435689	PLANT GROWTH REGULATORS, having an active constituent of uniconazole-P	3808.93.90	TC 1792564
3808.93.00	TC 1613315	HERBICIDES, in water dispersible granule form, having an active ingredient of napropamide	3808.93.90	TC 1792577
3808.93.00	TC 1617767	HERBICIDES, having a basis of acifluorfen present as the sodium salt	3808.93.90	TC 1792580
3808.93.00	TC 1653515	PLANT GROWTH REGULATORS, having a basis of trinexapac-ethyl	3808.93.90	TC 1792583
3808.93.00	TC 1657328	HERBICIDES, having an active ingredient of propanil	3808.93.90	TC 1792585
3808.93.00	TC 1678407	HERBICIDES, having an active ingredient of mesosulfuron-methyl	3808.93.90	TC 1792587
3808.93.00	TC 1706434	HERBICIDES, having an active ingredient of s-metolachlor	3808.93.90	TC 1792590
3808.93.00	TC 1741298	HERBICIDES, having an active ingredient of pyroxasulfone	3808.93.90	TC 1792593
3808.93.00	TC 1764823	HERBICIDES, having an active ingredient of indaziflam	3808.93.90	TC 1794389