

..ITM 1A

1. This by-law may be cited as Customs By-law No. 9140012.
2. This by-law shall take effect on and from 1 JULY 1991.
3. Item 1A in Part I of Schedule 4 to the Customs Tariff Act 1987 applies to microforms of articles listed in items (i) to (iv) of Annex A of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Agreement on the Importation of Educational, Scientific and Cultural Materials or Items (i) or (ii) of Annex A of the Protocol to the Agreement adopted by UNESCO at its 19th session in Nairobi in 1976 applies.
4. For the purposes of this by-law, "microforms" is taken to mean an arrangement of images that are substantially reduced in size from the original form, such as microfilm, microfiche, microcards, or any other form of image reduction.
5. For the purposes of this by-law, the "Customs Tariff Act 1987" means the Customs Tariff Act 1987, as amended or proposed to be altered.

Op. 01.07.91 Dec. date 21.06.91 - BL 9140012 1A

..ITM 1C

1. This by-law may be cited as Customs By-law No. 9140014.
2. This by-law shall take effect on and from 1 JULY 1991.
3. Item 1C in Part I of Schedule 4 to the Customs Tariff Act 1987 applies to goods, being:
 - (a) materials for programmed instruction, which may be presented in kit form, with the corresponding printed materials, including video cassettes and audio cassettes;
 - (b) holograms for laser projection;
 - (c) mock-ups or visualisations of abstract concepts such as molecular structures or mathematical formulae;
 - (d) multi-media kits;
 - (e) patterns, models and wall charts for use exclusively for demonstrational purposes.
4. For the purposes of this by-law, the "Customs Tariff Act 1987" means the Customs Tariff Act 1987, as amended or proposed to be altered.

Op. 01.07.91 Dec. date 21.06.91 - BL 9140014 1C

NOTE:

This by-law is necessary as a result of the difficulty involved in identifying these goods in the terms of Schedule 3 to the Customs Tariff Act 1987.

Multi-media kits are taken to mean packages comprising data sources of more than one type of media, ie. printed, visual (film, slides, video, etc.) or audio (sound recording).

..ITM 1D

1. This by-law may be cited as Customs By-law No. 9140015.
2. This by-law shall take effect on and from 1 JULY 1991.
3. Item 1D in Part I of Schedule 4 to the Customs Tariff Act 1987 applies to goods, being:
 - (a) scientific instruments or apparatus, consigned to;
 - (i) The Commonwealth Scientific and Industrial Research Organisation, The Defence Science and

- Technology Organisation, or The Australian Nuclear Science Technology Organisation;
- (ii) higher education institutions within the meaning of the Employment, Education and Training Act 1988;
 - (iii) technical and further education institutions that are certified in an instrument signed by the Minister for Employment, Education and Training, to be technical and further education institutions within the meaning of the Employment, Education and Training Act 1988;
 - (iv) schools directly or indirectly funded under the States Grants (Schools Assistance) Act 1984; or
 - (v) similar scientific or education institutions approved by the Minister for Industry, Science and Tourism or by the Minister for Employment, Education and Training;
- and used under the control and responsibility of these institutions, and not intended to be re-sold;
- (b) spare parts, components or accessories specially designed for use with the scientific instruments or apparatus included in (a) above;
 - (c) tools specially designed for the maintenance, checking, gauging or repair of scientific instruments or apparatus included in (a) above.
4. For the purposes of this by-law, the "Customs Tariff Act 1987" means the Customs Tariff Act 1987, as amended or proposed to be altered.

Op. 01.07.91 Dec. date 21.06.91 - BL 9140015 1D

..ITM 1D

1. This by-law may be cited as Customs By-law No. 9540003.
2. This by-law shall take effect on and from 9 DECEMBER 1994.
3. Item 1D in Part I of Schedule 4 to the Customs Tariff Act 1987 applies to scientific instruments or apparatus to which Annex D of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Agreement on the Importation of Educational, Scientific and Cultural Materials or Annex D of the Protocol to the Agreement adopted by UNESCO at its 19th session in Nairobi in 1976 apply, which are consigned to an Organisation listed in Column 1, and entered for home consumption on or after the date specified in Column 2 opposite that Organisation:

Column 1	Column 2
Antarctic Division of the Department of the Environment, Sport and Territories	9 December 1994
Australian Institute of Marine Science	9 December 1994
Australian Radiation Laboratories	9 December 1994
Baker Medical Research Institute	9 December 1994
Bureau of Meteorology Research Centre	9 December 1994
Centenary Institute of Cancer Medicine and Cell Biology	9 December 1994
The Children's Medical Research Foundation	9 December 1994
The Garvan Institute of Medical Research	9 December 1994
Geoscience Australia	1 October 2001
The Heart Research Institute	9 December 1994
Howard Florey Institute	9 December 1994
Ludwig Institute for Cancer Research	12 April 1995

MacFarlane Burnett Centre for Medical Research	9 December 1994
The Mental Health Research Institute of Victoria	9 December 1994
The Menzies School of Health Research	9 December 1994
Prince Henry's Institute of Medical Research	9 December 1994
Queensland Institute of Medical Research	9 December 1994
Sir Albert Sakzewski Virus Research Centre	9 December 1994
St Vincent's Institute of Medical Research, Melbourne	5 July 1995
Walter and Eliza Hall Institute of Medical Research.	9 December 1994

4. For the purposes of this by-law, the "Customs Tariff Act 1987" means the Customs Tariff Act 1987, as amended or proposed to be altered.

Op. 09.12.94 Dec. date 29.06.95 - BL 9540003 1D

..ITM 1D

1. This by-law may be cited as Customs By-law No. 9740003.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 1D in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to scientific instruments or apparatus to which Annex D of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Agreement on the Importation of Educational, Scientific and Cultural Materials or Annex D of the Protocol to the Agreement adopted by UNESCO at its 19th session in Nairobi in 1976 apply, which are consigned to an Organisation listed in Column 1, and entered for home consumption on or after the date specified in Column 2 opposite that Organisation:

Column 1	Column 2
Association of Universities for Research in Astronomy Inc (AURA)	1 July 1996

4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 06.02.97 - BL 9740003 1D

..ITM 1D

1. This by-law may be cited as Customs By-law No.0040007.
2. This by-law shall take effect on and from 27 JANUARY 2000.
3. Item 1D in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to scientific instruments or apparatus to which Annex D of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Agreement on the Importation of Educational, Scientific and Cultural Materials or Annex D of the Protocol to the Agreement adopted by UNESCO at its 19th session in Nairobi in 1976 applies, which are consigned to an Organisation listed in Column 1, and entered for home consumption on or after the date specified in Column 2 opposite that Organisation:

Column 1	Column 2
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The Austin Research Institute 27 January 2000

4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 27.01.00 Dec. date 03.04.00 - BL 0040007 1D

..ITM 1D

1. This by-law may be cited as Customs By-law No. 0240008.
2. This by-law shall take effect on and from 26 AUGUST 2002.
3. Item 1D in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to scientific instruments or apparatus to which Annex D of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Agreement on the Importation of Educational, Scientific and Cultural Materials or Annex D of the Protocol to the Agreement adopted by UNESCO at its 19th session in Nairobi in 1976 applies, which are consigned to the organisation listed in Column 1, and entered for home consumption on or after the date specified in Column 2 opposite that organisation:

Column 1	Column 2
The Victor Chang Cardiac Research Institute	26 August 2002

4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 26.08.02 Dec. date 18.09.02 - BL 0240008 1D

..ITM 1D

1. This by-law may be cited as Customs By-law No. 1022040.
2. This by-law shall be deemed to have taken effect on and from 1 JANUARY 2010.
3. Item 1D in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to scientific instruments or apparatus to which Annex D of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Agreement on the Importation of Educational, Scientific and Cultural Materials or Annex D of the Protocol to the Agreement adopted by UNESCO at its 19th session in Nairobi in 1976 applies, which are consigned to an organisation listed in Column 1, and entered for home consumption on or after the date specified in Column 2 opposite that organisation:

Column 1	Column 2
The National Measurement Institute	1 January 2010

4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.01.10 Dec. date 15.06.10 - BL 1022040 1D

..ITM 1D

1. This by-law may be cited as Customs By-law No. 1028768.
2. This by-law shall be deemed to have taken effect on and from 1 JULY 2010.
3. Item 1D in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to scientific instruments or apparatus to which Annex D of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Agreement on the Importation of Educational, Scientific and Cultural Materials or Annex D of the Protocol to the Agreement adopted by UNESCO at its 19th session in Nairobi in 1976 applies, which are consigned to an organisation listed in Column 1, and entered for home consumption on or after the date specified in Column 2 opposite that organisation:

Column 1

Column 2

The Australian Astronomical Observatory 1 July 2010

4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.
Op. 01.07.10 Dec. date 13.07.10 - BL 1028768 1D

..ITM 1E

1. This by-law may be cited as Customs By-law No. 9140016.
2. This by-law shall take effect on and from 1 JULY 1991.
3. Item 1E in Part I of Schedule 4 to the Customs Tariff Act 1987 applies to goods specially designed for the employment or the educational, scientific, social or cultural advancement of people with disabilities, which are imported directly by organisations concerned with the welfare, education of, or provision of assistance to people with disabilities, being organisations which are:
 - (a) organisations within the meaning of s.78(1)(a)(ii) of the Income Tax Assessment Act 1936; or
 - (b) other organisations approved by the Minister for Industry, Science and Tourism in consultation with the Minister for Community Services and Health;
not including any organisation which is carried on for the purposes of profit or gain.
4. For the purposes of this by-law, "people with disabilities" means people defined in s.8(1) of the Disability Services Act 1986.
5. For the purposes of this by-law, goods shall be taken to be specially designed for people with disabilities if, because of the adaptation for the disability those goods are not used, or are not able to be used by people without disabilities, or are goods so adapted for use by the disabled that the cost to convert for use by people without disabilities would be prohibitive.
6. For the purposes of this by-law, the "Customs Tariff Act 1987" means the Customs Tariff Act 1987, as amended or proposed to be altered.
Op. 01.07.91 Dec. date 21.06.91 - BL 9140016 1E

..ITM 4

1. This by-law may be cited as Customs By-law No. 9640031.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 4 Part I of Schedule 4 to the Customs Tariff Act 1995 applies to goods that, at the time they are entered for home consumption, are:
 - (i) owned by the government of a country other than Australia; and
 - (ii) for the official use of that government and are not to be used for purposes of trade; and
 - (iii) required, in accordance with an agreement or arrangement between the Government of Australia and the government of another country, to be allowed entry into Australia free of Customs duty.
4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640031 4

..ITM 4

1. This by-law may be cited as Customs By-law No. 9640032.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 4 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to goods that, at the time they are entered for home consumption, are:
 - (i) owned by the government of a country other than Australia; and
 - (ii) for the official use of that government and are not to be used for purposes of trade,
 provided that the Minister has approved in writing, prior to entry for home consumption, the kinds and quantities of the goods imported and the uses to which the goods are to be put.
4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640032 4

..ITM 7

1. This by-law may be cited as Customs By-law No. 9640001.
2. This by-law shall take effect on and from 30 MAY 1996.
3. Item 7 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to goods that, at the time they are entered for home consumption, are:
 - (a) owned by and for the official use of an organisation specified in Column 1 of TABLE 1 hereunder, subject to such exceptions, if any, as are set out in Column 2 of TABLE 1 opposite that organisation:

TABLE 1	
Column 1	Column 2
Australian-American Educational Foundation Commission for the Conservation of Southern Bluefin Tuna European Space Agency	Goods, which if produced or manufactured in Australia, would be subject to excise

duty;

or

- (b) owned by an official of an organisation specified in TABLE 2 hereunder and for the official or personal use of the official, being personal effects, furniture and household effects (other than motor vehicles, spirituous beverages and tobacco products), provided the goods are imported at the time of the first arrival of the official:

TABLE 2

Commission for the Conservation of Southern Bluefin Tuna
European Space Agency.

4. For the purposes of this by-law, "at the time of first arrival" means any time during the period extending from six months before to six months after the intended date of first arrival of the official as stated by the official at the time of the first importation of goods owned by the official under this by-law, or such period as the Chief Executive Officer may allow.
5. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 30.05.96 Dec. date 22.05.96 - BL 9640001 7

Note:

Customs By-Law Amendment Notice (No. 1) 2010 removes references to the Anglo-Australian Telescope Board from By-law No. 9640001.

..ITM 8

1. This by-law may be cited as Customs By-law No. 9640033.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 8 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to goods, being:
 - (1) the personal effects, furniture and household goods (other than motor vehicles, cigarettes, cigars, tobacco or spirituous liquors) of a member of a Papua New Guinea Visiting Force or of the civilian component or of a dependent, subject to the following conditions:
 - (a) the goods are imported at the time of the first arrival of the member to take up service in Australia, or, in the case of a dependent at the time of the first arrival of the dependent to join a member; and
 - (b) the member or dependent lodges an undertaking with the Collector that the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within a period of two years immediately after the date of their importation, unless:
 - (i) prior written approval has been obtained from the Collector; and
 - (ii) unless the Collector determines otherwise, the duty which would have been otherwise payable on the goods on the date on which they were entered for home consumption is paid;
 - (2) regulation military uniforms imported by a member of a Papua New Guinea Visiting Force, for that person's use;
 - (3) motor vehicles imported by a member of a Papua New

Guinea Visiting Force or of the civilian component, being a motor vehicle owned and used outside Australia by the member during the period of three months immediately preceding his first departure for Australia, provided that the motor vehicle remains in the use, ownership and possession of that member or, with the written permission of the Collector, of another member during the period of two years immediately after the date of its importation, UNDER SECURITY.

4. For the purposes of this by-law, "Visiting Force", "civilian component" and "dependent" have the meanings expressed in Section 1 of the Agreement between the Governments of Australia and Papua New Guinea concerning the status of members of a "Visiting Force" in a "Receiving State" which entered into force on 16 September 1975, ie.,
 - (a) "Visiting Force" means members, including load personnel or units of the Defence Force of one State when in the territory of the other State in connection with activities by arrangement between the two States, provided that the two States may arrange that certain individuals from units or formations shall not be regarded as constituting or being included in a Visiting Force;
 - (b) "civilian component" means civilian personnel in the Receiving State who, not being nationals nor persons ordinarily resident in the Receiving State;
 - (i) are employed by or in the service of a Visiting Force or an authorised service organisation;
 - (ii) are serving with an organisation that with the approval of the authorities of the Receiving State is accompanying a Visiting Force, or
 - (iii) are attached to or accompanying the Visiting Force, but does not include a dependent;
 - (c) "dependent" means a person who is neither a national of nor ordinarily resident in the Receiving State and who in relation to a member of a Visiting Force or of the civilian component is:
 - (i) the spouse of the member;
 - (ii) a part of the family of the member residing with the member;
 - (iii) in the custody, care or charge of the member; or
 - (iv) wholly or mainly maintained by the member, other than as a servant or a member of the servant's family.
5. For the purposes of this by-law, "loan personnel" means members of, and "loan serviceman" means a member of, the Australian Visiting Force on loan and attached to the Papua New Guinea Defence Force under section 30(2) of the Defence Act 1974 of Papua New Guinea.
6. For the purposes of this by-law, "at the time of the first arrival" means any time during the period extending from six months before to six months after the date of first arrival in Australia of the member or dependent, as the case may be, or such further period as the Collector may allow.
7. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96

Dec. date 15.05.96 - BL 9640033 8

1. This by-law may be cited as Customs By-law No. 9640034.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 8 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to goods, being:
 - (1) the personal effects, furniture and household goods (other than motor vehicles, cigarettes, cigars, tobacco or spirituous liquors) of a member of a Singapore Force, a civilian component of such a force or of a dependent, subject to the following conditions:
 - (a) the goods are imported at the time of the first arrival of that person in Australia or, thereafter within six months or, such further period as may be approved in writing by the Collector; and
 - (b) that person gives a security or undertaking to the Collector that the goods will not be sold, traded exchanged, hired out, donated or otherwise disposed of within Australia within a period of two years immediately after the date of their importation, unless:
 - (i) prior written approval is obtained from the Collector; and
 - (ii) unless the Collector determines otherwise, an amount equal to the duty otherwise payable on the goods on the date on which they were entered for home consumption in Australia; is paid;
 - (2) regulation military uniforms imported by a member of a Singapore Force, for that person's use;
 - (3) motor vehicles imported by a member of a Singapore Force, by a civilian component or by a dependent, being:
 - (a) a motor vehicle used outside Australia by that person throughout the period of three months immediately preceding their first departure for Australia, provided a security or undertaking is given to the Collector that the motor vehicle will remain in the use, ownership and possession of that person or, with the written permission of the Collector, of another member of a Singapore Force, civilian component of such a Force or dependent, throughout the period of two years immediately after the date of its importation, or
 - (b) a motor vehicle for the use of that person, not being a motor vehicle of a kind described in the preceding subparagraph, which is intended to be exported, provided a security or undertaking is given to the Collector that the vehicle will be exported within twelve months from the date of its importation or within twelve months from the date of its importation or within such further period as may be approved in writing by the Collector.
4. For the purposes of this by-law:
 - (a) "a Singapore Force" means any body, contingent or detachment of any naval, land or air forces of Singapore, when stationed in the territory of Australia or when present there is connection with their official duties;
 - (b) "civilian component of such a Force" means the civilian personnel accompanying a Singapore Force, who are employed in the service of a Singapore Force, or by a department or authority of the Government of Singapore

having functions relating to the armed forces or to defence matters, and who are not stateless persons, nor nationals of, nor ordinarily resident in Australia; and

- (c) "dependent" means a person, not ordinarily resident in Australia, who:
- belongs to the family of; or
 - is in the custody, charge or care of; or
 - is wholly or mainly maintained or employed by, a member of a Singapore Force or a civilian component of such a Force.

5. For the purposes of this by-law, "imported" and "importation" includes lawfully delivered for a Customs warehouse or from continuous Customs control.
6. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640034 8

..ITM 8

1. This by-law may be cited as Customs By-law No. 9640036.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 8 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to goods for commissaries that are for use by or for sale to persons the subject of a Status of Forces Agreement between the Government of Australia and the government or another country.
4. This by-law does not apply to:
 - (a) goods that are not for the use of persons referred to in the above paragraph;
 - (b) goods that are to be sold or otherwise disposed of by or on behalf of a person referred to in the above paragraph to a person not referred to in the above paragraph; and
 - (c) goods that the Minister has not approved of in writing as regards the kind of goods and the quantity of such goods.
5. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640036 8

..ITM 8

1. This by-law may be cited as Customs By-law No. 9740009.
2. This by-law shall take effect on and from 24 AUGUST 1997.
3. Item 8 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to :
 - (1) the personal effects (including military uniforms), furniture and household goods (other than motor vehicles, cigarettes, cigars, tobacco or spirituous liquors), of a member of a Malaysian Visiting Force or civilian component of such a force, or a dependant, provided:
 - (i) the goods are imported at the time of first arrival of that person in Australia; and
 - (ii) the goods remain in the use, ownership and possession of that person; and
 - (iii) the person lodges an undertaking with the Collector that the goods will not be sold, traded, exchanged, hired out, exchanged or

otherwise disposed of in Australia within two years of the date of importation:

(A) unless prior written approval which has been obtained from the Collector determines otherwise; and

(B) unless the Collector determines otherwise, the duty which would have otherwise been payable on the goods on the date on which they were entered for home consumption is paid;

(2) a motor vehicle imported by a member of a Malaysian Visiting Force or civilian component of such a force, being a motor vehicle:

(i) owned and used during the period of six months immediately prior to that member's first departure for Australia, provided that the motor vehicle remains in the use, ownership and possession of that member or, with the written permission of the Collector, of another member, for two years after the date of importation; or

(ii) not imported pursuant to the preceding subparagraph, and which remains in the ownership and possession of that member, or, with the written permission of the Collector, of another member, and is exported by that member within three years of the date of importation or within such extended period as the Collector may allow,

UNDER SECURITY.

4. For the purposes of this by-law, "Visiting Force", "civilian component" and "dependant" have the meaning expressed in Article 1 of the Agreement Between The Government of Australia and the Government of Malaysia Concerning The Status of Forces, which was signed in Kuala Lumpur on 3 February 1997.

5. For the purposes of this by-law, "at the time of first arrival" means any time during the period extending from the date of first arrival in Australia of a member of a Malaysian Visiting Force or civilian component of such a force or a dependant, to six months after that date.

6. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 24.08.97 Dec. date 16.07.97 - BL 9740009 8

..ITM 8

1. This by-law may be cited as Customs By-law No. 9940005.

2. This by-law shall take effect on and from 15 APRIL 1999.

3. Item 8 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to goods, being:

(1) the personal effects, furniture and household goods (other than motor vehicles, cigarettes, cigars, tobacco or alcoholic beverages) of a member of the United States Forces or of the civilian component or of a dependant, subject to the following conditions:

(a) the goods are imported at the time of the first arrival of the member to take up service in Australia or in the case of a dependent at the time of the first arrival of the dependent to

- join a member: and
- (b) the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within a period of two years immediately after the date of their importation, unless:
 - (i) prior written approval has been obtained from the Collector: and
 - (ii) unless the Collector determines otherwise, the duty which would have been otherwise payable on the goods on the date on which they were entered for home consumption is paid;
 - (2) regulation military uniforms imported by a member of the United States Forces, for that person's use;
 - (3) motor vehicles imported by a member of the United States Forces or of the civilian component, being goods as follows:
 - (a) a motor vehicle owned and used outside Australia by the member during the period of six months immediately preceding his first departure for Australia, provided that the motor vehicle remains in the use, ownership and possession of that member or, with the written permission of the Collector, of another member during the period two years immediately after the date of its importation, UNDER SECURITY;
 - (b) a motor vehicle for the personal use of the member, not being a motor vehicle of a kind described in the preceding sub-paragraph, which will be exported within three years from the date of its importation or within such extended period as may be approved by the Collector, UNDER SECURITY. With the written permission of the Collector a motor vehicle imported under this sub-paragraph may be transferred to another member provided that it is exported by the latter member within three years from the date of its importation or within such extended period as may be approved in writing by the Collector, UNDER SECURITY;
 - (4) goods (other than tobacco products, alcoholic beverages or fur apparel) imported from the United States through military post offices by a member of the United States Forces or of the civilian component or a dependent, that have a value not exceeding \$US130, being goods as follows:
 - (a) goods which are personal consumables or goods of a kind which when in use are worn or carried on the person or goods which are normally carried in hand baggage by a member of the United States Forces or of the civilian component or a dependent when travelling, and are required to fill a current need;
 - (b) unsolicited gifts sent by persons resident overseas in recognition or appreciation of an occasion or event, which would not usually occur more than once annually.
4. For the purposes of this by-law, "member of the United States Forces or of the civilian component or a dependent", has the meaning expressed in Article 1 of the Agreement concerning the Status of United States Forces in Australia, which entered into

force on 9 May 1963, ie.,

- (a) "member of the United States Forces" means a person belonging to the land, sea or air armed services of the United States in Australia in connection with activities agreed upon by the Governments of Australia and the United States of America, other than those for whom status is provided for otherwise (eg., a person having diplomatic or consular status);
 - (b) "member of the civilian component" means a civilian person in Australia in connection with activities agreed upon by the Governments of Australia and the United States of America, who is neither a national of, nor ordinarily resident in Australia, but who is:
 - (i) employed by United States Forces or by military sales exchanges, commissaries, officers' clubs, enlisted men's clubs or other facilities established for the benefit or welfare of United States personnel and officially recognised by the United States authorities as non-appropriated fund activities; or
 - (ii) serving with an organisation which, with the approval of the Government of Australia, is accompanying the United States Forces;
 - (c) "dependent" means a person in Australia who is the spouse of, or other relative who depends for support upon, a member of the United States Forces or of the civilian component.
5. For the purposes of this by-law, "at the time of the first arrival" means any time in a period extending from six months before to six months after the date of first arrival in Australia of the member or dependent, as the case may be, or such further period as the Collector may allow.
6. For the purposes of this by-law, "military post offices" means those U.S. postal establishments located at Alice Springs, N.T., at North West Cape, W.A., at St. Peters, N.S.W., at Woomera, S.A., at Melbourne, Vic. and at Canberra, A.C.T.
7. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 15.04.99 Dec. date 07.04.99 - BL 9940005 8

..ITM 8

1. This by-law may be cited as Customs By-law No. 9940007.
2. This by-law shall take effect on and from 15 JULY 1999.
3. Item 8 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to:
 - (1) the personal effects, furniture and household goods (other than motor vehicles, cigarettes, cigars, tobacco or spirituous liquors), of a member of a New Zealand Visiting Force or civilian component of such a force, or a dependant, provided:
 - (i) the goods are imported at the time of the first arrival of that person in Australia; and
 - (ii) subject to sub-paragraph (iii) below, the goods remain in the use, ownership and possession of that person; and
 - (iii) the goods will not be sold, traded, exchanged, hired out, donated or otherwise disposed of in Australia within two years of the date of importation unless prior written approval has been obtained from the Collector determines otherwise.

(2) motor vehicles imported by a member of a New Zealand Visiting Force or civilian component of such a force, being a motor vehicle:

- (i) owned and used during the period of at least three months immediately prior to that member's first departure for Australia, provided that the motor vehicle remains in the use, ownership and possession of that member or, with the written permission of the Collector, of another member for two years after the date of importation; or
- (ii) not in the use, ownership or possession of the member during the period of at least three months immediately preceding his or her first departure for Australia, and which remains in the use, ownership and possession of that member, or, with the written permission of the Collector, of another member for two years after the date of its importation, or is exported by that member within two years of the date of importation or within such extended period as the Collector may allow,

UNDER SECURITY.

- 4. For the purposes of this by-law, "Visiting Force", "civilian component" and "dependant" have the meaning expressed in Article 1 of the Agreement Between the Government of Australia and The Government of New Zealand Concerning The Status of Their Forces, which was signed in Melbourne on 29 October 1998.
- 5. For the purposes of this by-law, "at the time of first arrival" means any time during the period extending from the date of first arrival in Australia of a member of a New Zealand Visiting Force or civilian component of such a force or a dependant, to six months after the date.
- 6. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 15.07.99 Dec. date 08.09.99 - BL 9940007 8

..ITM 9

- 1. This by-law may be cited as Customs By-law No. 9640037.
- 2. This bylaw shall take effect on and from 1 JULY 1996.
- 3. Item 9 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to goods imported by traditional inhabitants of the area covered by the Torres Strait Treaty, for use by such traditional inhabitants in the performance of traditional activities in, or in the vicinity of, the Protected Zone.
- 4. For the purposes of this by-law, "traditional inhabitants" means persons who:
 - (i) are Torres Strait Islanders who live the Protected Zone or the adjacent coastal area of Australia;
 - and
 - (ii) are citizens of Australia; and
 - (iii) maintain traditional customary associations with areas or features in, or in the vicinity of, the Protected Zone in relation to their subsistence or livelihood or social, cultural or religious activities.
- 5. For the purposes of this by-law, "traditional activities" means activities performed by the traditional inhabitants in accordance with local tradition, and includes, when so

performed:

- (i) activities on land, including gardening, collection of food and hunting;
- (ii) activities on water, including traditional fishing;
- (iii) religious and secular ceremonies or gatherings for social purposes, for example, marriage celebrations and settlement of disputes; and
- (iv) barter and market trade.

In the application of this definition, except in relation to activities of a commercial nature, "traditional" shall be interpreted liberally and in the light of prevailing customs.

- 6. For the purposes of this by-law, "in the vicinity" means an area adjacent to the Protected Zone declared by the Minister, by virtue of a notice published in the Gazette, to be an area in the vicinity of the Protected Zone
- 7. For the purposes of this by-law, "Protected Zone" means the zone established under Article 10 of the Torres Strait Treaty, being the area bounded by the line described in Annex 9 to that Treaty.
- 8. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640037 9

..ITM 12

- 1. This by-law may be cited as Customs By-law No. 9640039.
- 2. This by-law shall take effect on and from 1 JULY 1996.
- 3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to FM systems, designed for use as, or with, hearing aids, consisting of the following:
 - (a) chargers/carrying cases; and
 - (b) FM microphones/transmitters; and
 - (c) FM receivers with or without in-built microphones.
- 4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640039 12

..ITM 12

- 1. This by-law may be cited as Customs By-law No. 9640040.
- 2. This by-law shall take effect on and from 1 JULY 1996.
- 3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to braille information handing or processing systems, capable of all of the following:
 - (a) editing;
 - (b) displaying on screen;
 - (c) printing;
 - (d) retrieving;
 - (e) storing.
- 4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act

Op. 01.07.96 Dec. date 15.05.96 - BL 9640040 12

..ITM 12

- 1. This by-law may be cited as Customs By-law No. 9640041.
- 2. This by-law shall take effect on and from 1 JULY 1996.
- 3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995

applies to artificial larynxes.

4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640041 12

..ITM 12

1. This by-law may be cited as Customs By-law No. 9640042.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to pedestrian safety equipment for the blind, being braille tiles and braille road rivets.
4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640042 12

..ITM 12

1. This by-law may be cited as Customs By-law No. 9640043.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to reading machines, capable of converting printed matter into tactile images thus enabling the blind to read by the sense of touch.
4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640043 12

..ITM 12

1. This by-law may be cited as Customs By-law No. 9640044.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to reading machines, capable of converting printed matter into speech.
4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640044 12

..ITM 12

1. This by-law may be cited as Customs By-law No. 9640045.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to reading systems, capable of scanning printed matter and reproducing the enlarged text on a screen.
4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, a amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640045 12

..ITM 12

1. This by-law may be cited as Customs By-law No. 9640046.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995

applies to hand held sensors, capable of indicating obstacles in the user's path.

4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640046 12

..ITM 12

1. This by-law may be cited as Customs By-law No. 9640047.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to sound reproducers or sound reproducers and sound recorders, having a power output rms of less than 2.5 W, using a magnetic tape as the recorded or recoding medium, monophonic, DC or AC/DC operated, designed for carrying in the hand or on the person, with colour coded, raised symbol control keys and dual playing speeds.

4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640047 12

..ITM 12

1. This by-law may be cited as Customs By-law No. 9640048.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to sound reproducers or sound recorders and reproducers, in which the tape can be played at up to double normal speed without a change in tape voice pitch.

4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640048 12

..ITM 12

1. This by-law may be cited as Customs By-law No. 9640049.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to telecommunications equipment, being integrated units incorporating both of the following, whether or not also incorporating a printer;
(a) keyboard;
(b) visual display screen.

4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640049 12

..ITM 12

1. This by-law may be cited as Customs By-law No. 9640103.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to spectacle frame mounted mobility devices, capable of converting reflected high frequency sounds into audible stereophonic signals.

4. For the purposes of this by-law, the "Customs Tariff Act 1995"

means the Customs Tariff Act 1995, as amended or proposed to be altered.
Op. 01.07.96 Dec. date 12.06.96 - BL 9640103 12

..ITM 12

1. This by-law may be cited as Customs By-law No. 9640104.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to machine glazed wood-free paper tapes coated with heat reactive dye.
4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 12.06.96 - BL 9640104 12

..ITM 12

1. This by-law may be cited as Customs By-law No. 9640105.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 12 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to microfiche viewers having in-built fluorescent lighting.
4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 12.06.96 - BL 9640105 12

..ITM 15

1. This by-law may be cited as Customs By-law No.0040022.
2. This by-law shall take effect on and from 1 JULY 2000.
3. Item 15 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to a motor vehicle imported by a member of the forces of Canada or the United Kingdom being goods, as follows:
 - (a) a motor vehicle owned and used outside Australia by the member of those forces during the period of six months immediately preceding his or her first departure for Australia, provided that the motor vehicle remains in the use, ownership and possession of that member of those forces or, with the permission of the Collector, of another member of those forces during the period of two years immediately after the date of its importation.
UNDER SECURITY;
 - (b) a motor vehicle for the personal use of the member of those forces, not being a motor vehicle of a kind described in the preceding paragraph, which is intended to be exported, provided that the vehicle is exported within three years after the date of its importation or within such extended period as may be approved by the Collector, UNDER SECURITY.
With the permission of the Collector, a motor vehicle imported under this sub-paragraph may be transferred to another member of those forces provided that it is exported by the latter member of those forces within three years after the date of its importation or within such extended period as may be approved by the Collector, UNDER SECURITY.
4. For the purposes of this by-law, "member of the Forces of

Canada or the United Kingdom" means a person belonging to the land, sea or air armed services of those countries temporarily serving in Australia under arrangements agreed on by the Government of Australia and the Governments of Canada and the United Kingdom.

5. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.00 Dec. date 21.06.00 - BL 0040022 15

..ITM 15

1. This by-law may be cited as Customs By-law No. 1228133.
2. This by-law takes effect on and from 1 September 2012.
3. Item 15 in Part I of Schedule 4 to the Customs Tariff Act 1995 (item 15) applies to goods that are specified in Column 1 of the Table below (the Table), subject to:
 - (a) paragraph 4; and
 - (b) the exclusions and conditions, if any, set out in Column 2 opposite those goods or in paragraph 8.
4. The goods must:
 - (a) be imported as the accompanied baggage of an arriving person or purchased by an arriving person at an inwards duty free shop; and
 - (b) not be commercial goods; and
 - (c) not be motor vehicles or motor vehicle parts.
5. For the purposes of item 7 of the Table, one cigarette is taken to weigh 1 gram.
6. For the purposes of item 8 of the Table, the amount, in respect of a family that arrived in Australia on a flight or voyage, is the amount calculated in accordance with the formula:

$$(\$900 \times A) + (\$450 \times C)$$

where:

A is the number of adults in the family who were on the flight or voyage; and

C is the number of children in the family who were on the flight or voyage.

7. In this by-law:

accompanied baggage means goods which:

 - (a) are carried or worn by an arriving person and are available for presentation to Customs at the time of his or her processing through Customs; or
 - (b) are consigned to travel on the same ship or aircraft as the arriving person as baggage under a passenger's ticket baggage allowance or as excess baggage, but which are loaded onto another ship or aircraft due to circumstances beyond the control of the passenger; or
 - (c) are consigned to arrive on one of a group of Australian Defence Force operated ships or aircraft carrying out the joint task of transporting passengers and their baggage,but does not include goods forwarded by post or consigned as freight by the arriving person whether or not they arrive on the same ship or aircraft;

adult means a person 18 years or over;

arriving person means a passenger or crew member who was on board a ship or aircraft which arrived in Australia from a place outside Australia;

child means a child (within the meaning of section 4 of the Customs Act 1901) who is under 18;

commercial goods means goods that:

- (a) are intended to be used by the arriving person for a commercial purpose, including sale, lease, hire or exchange; or
- (b) are goods that have been imported in such a quantity that, having regard to their nature or durability, that quantity represents a commercial quantity;

concealed includes if a person was required to give information about goods to Customs in accordance with section 71, 71K or 71L of the Customs Act 1901 and the person failed to do so;

family means:

- (a) a husband and wife, and any of their children; or
- (b) a person and his or her de facto partner (within the meaning of section 22A of the Acts Interpretation Act 1901), and any of their children;

inwards duty free shop has the meaning given by section 96B of the Customs Act 1901;

GST has the meaning given by section 195-1 of the GST Act;

GST Act means the A New Tax System (Goods and Services Tax) Act 1999;

personal goods means a good that is:

- (a) the property of an arriving person; and
- (b) suitable, and is intended, for use by the arriving person;

tobacco product means a cigarette, cigar or other product containing tobacco;

used, in relation to the expression "owned and used", means being available for use for their intended purpose by the arriving person on a continuing basis in each country in which that person was residing on a long term basis.

THE TABLE

Column 1 Goods	Column 2 Conditions and Exclusions
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Category: Personal clothing, footwear and articles for personal hygiene/grooming	
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Item 1:	Exclusion 1.1:
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Personal goods, as follows:	Excluding fur apparel and perfume concentrates.
(a) personal clothing of all kinds including footwear;	
(b) articles for personal hygiene	

or grooming.

Category: Goods previously exported from Australia by the arriving person

Item 2:

Personal goods, imported by an arriving person ordinarily domiciled in Australia that were exported from Australia when the person departed from Australia.

Exclusion 2.1:

Excluding goods purchased duty free in Australia at an outwards duty free shop (within the meaning of section 96A of the Customs Act 1901).

Exclusion 2.2:

Excluding goods that were an acquisition, the supply of which was a GST-free supply because of item 7 in the table in subsection 38-185(1) of the GST Act.

Exclusion 2.3:

Excluding goods in respect of which the arriving person is entitled to, and has claimed, a payment under Division 168 of the GST Act related to the export of the goods.

Category: Goods to be exported from Australia later by the arriving person

Item 3:

Personal goods, imported by an arriving person ordinarily domiciled outside Australia that the arriving person intends to export from Australia when the arriving person departs from Australia.

Category: Goods owned and used overseas for more than 12 months

Item 4:

Personal goods, including fur apparel, personal effects, furniture and household goods not covered by items 1 to 3.

Condition 4.1:

Provided the goods have been owned and used overseas by the arriving person for a period of 12 months preceding the arriving person's departure for Australia.

Exclusion 4.2:

Excluding alcoholic beverages and tobacco products.

Category: Alcoholic beverages

Item 5:

Alcoholic beverages not exceeding 2,250 ml.

Condition 5.1:

The goods must be imported by an adult or purchased at an inwards duty free shop by an adult.

Note: See paragraph 8 for additional conditions

Exclusion 5.2:

Excluding all alcoholic beverages where the total quantity of alcoholic beverages imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 2,250 ml and the person has concealed any of the alcoholic beverages from Customs.

Exclusion 5.3:

Excluding all alcoholic beverages where the total quantity of alcoholic beverages imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 2,250 ml and the person has not concealed any of the alcoholic beverages and the person wishes to take the total quantity of alcoholic beverages into home consumption.

Category: Tobacco products

Item 6:

25 or less cigarettes.

Condition 6.1:

The goods must be in an opened packet in the possession of the adult who imported them.

Item 7:

Tobacco products not exceeding

Condition 7.1:

The goods must be imported

50 grams (excluding cigarettes covered by item (6)).

by an adult or purchased at an inwards duty free shop by an adult.

Exclusion 7.2:

Excluding all tobacco products where the total quantity of tobacco products imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 50 grams (excluding cigarettes covered by item (6)) and the person has concealed any of the tobacco products from Customs.

Exclusion 7.3:

Excluding all tobacco products where the total quantity of tobacco products imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 50 grams (excluding cigarettes covered by item (6)) and the person has not concealed any of the tobacco from Customs and the person wishes to take the total quantity of tobacco products into home consumption.

Category: Family - general goods not covered by any other category

Item 8:

Condition 8.1:

Goods:

- (a) not covered by an item of the Table above; and
- (b) where the total value of all such goods imported by the members of a family (if any) and purchased by the members of the family at an inwards duty free shop (if any) does not exceed the amount calculated in accordance with paragraph 6 above.

The goods must be imported by a member of a family or purchased at an inwards duty free shop by a member of a family.

Condition 8.2:

The members of the family must be passengers who arrived in Australia on the same flight or voyage.

Exclusion 8.3:

Excluding alcoholic beverages and tobacco products.

Exclusion 8.4:

Excluding all goods where the total value of all such goods imported by the members of the family (if any) and purchased by the members of the family at an inwards duty free shop (if any) exceeds the amount calculated in accordance with paragraph 6 above.

Category: Adult (not travelling in family group) - general goods not covered by any other category

Item 9:

Condition 9.1:

Goods:

- (a) not covered by an item of the Table above; and
- (b) where the total value of such goods does not exceed \$900.

The goods must be imported, or purchased at an inwards duty free shop, by an adult passenger who is not travelling on the flight or voyage with his or her family.

Exclusion 9.2:

Excluding alcoholic beverages and tobacco products.

Exclusion 9.3:

Excluding all goods where the total value of all such goods imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds \$900.

Category: Children (not travelling in a family group) and crew members - general goods not covered by any other category

Item 10:

Condition 10.1:

Goods:

- (a) not covered by an item of the Table above; and
- (b) where the total value of such goods does not exceed \$450.

The goods must be imported, or purchased at an inwards duty free shop, by a crew member or a passenger who is a child who is not travelling on the flight or voyage with his or her family.

Exclusion 10.2:

Excluding alcoholic beverages and tobacco products.

Exclusion 10.3:

Excluding all goods where the total value of all such goods imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds \$450.

8. For item 5 of the Table, if:

(a) the total quantity of alcoholic beverages imported by the person (if any) and purchased by the person at an inwards duty free shop (if any) exceeds 2,250 ml; and

(b) the person has not concealed any of the alcoholic beverages from Customs and the person does not wish to take the total quantity of alcoholic beverages into home consumption;

the following applies:

(c) item 15 applies only to the alcoholic beverages that are imported (if any) and purchased (if any) in one or more containers where the total contents of those containers are equal to or less than 2,250 ml; and

(d) no alcoholic beverages may be removed from or added to any of the containers after the beverages are imported (if any) and purchased (if any), and before they are delivered into home consumption.

9. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

10. Customs By-law No. 0906049, registered on the Federal Register of Legislative Instruments on 24 March 2009 is revoked on and from 1 September 2012.

Op. 01.09.12 Dec. date 17.08.12 BL 1228133

NOTE: This by-law replaces Customs By-law No. 0906049, with effect from 1 September 2012. This by-law is not on the computer file.

..ITM 15

1. This by-law may be cited as Customs By-law No. 0906051.

2. This by-law takes effect on and from 1 April 2009.

3. Item 15 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to goods that are specified in Column 1 of the Table below (the Table) subject to:

(a) paragraph 4; and

(b) the exceptions and conditions, if any, set out in Column

- 2 opposite those goods.
4. The goods must:
 - (a) not be commercial goods; and
 - (b) be personal goods.
 5. In this by-law:

adult means a person 18 years or over;

arriving person means a passenger or crew member who was on board a ship or aircraft which arrived in Australia from a place outside Australia;

commercial goods means goods that:

- (a) are intended to be used by the arriving person for a commercial purpose, including sale, lease, hire or exchange; or
- (b) are goods that have been imported in such a quantity that, having regard to their nature or durability, that quantity represents a commercial quantity;

family means:

- (a) a husband and wife, and any of their children who are under the age of 18 years; or
- (b) a person and his or her de facto partner (within the meaning of section 22A of the Acts Interpretation Act 1901), and any of their children who are under the age of 18 years;

permanent resident means a person who arrives in Australia and intends forthwith to take up permanent residence in Australia; and

- (a) is an Australian citizen for the purposes of the Australian Citizenship Act 2007 (as amended from time to time); or
- (b) holds a permanent visa within the meaning of the Migration Act 1958 (as amended from time to time); or
- (c) holds a special category visa within the meaning of the Migration Act 1968 (as amended from time to time);

personal goods means goods that:

- (a) are the property of an arriving person; and
- (b) are suitable, and are intended, for use by the arriving person;

but do not include motor vehicles or motor vehicle parts;

tobacco products mean cigarettes, cigars or other products containing tobacco;

used in relation to the expression "personally owned and used" means being available for use for their intended purpose by the arriving person on a continuing basis in each country in which that person was residing on a long term basis.

THE TABLE

Column 1
Goods

Column 2
Exceptions and Conditions

- | | |
|---|---|
| <ol style="list-style-type: none"> (1) Goods, as follows: <ol style="list-style-type: none"> (a) personal clothing of all kinds including footwear; (b) articles for personal | <ol style="list-style-type: none"> (1) The goods must be imported by an arriving person who is a permanent resident. |
|---|---|

hygiene or grooming.

- (2) Goods, as follows:
- (a) non-motorised caravans;
 - (b) non-motorised box, boat or similar trailers;
 - (c) boats designed for use in sheltered waters for sport or recreation, conforming to one of the following specifications:
 - (i) boats propelled by manual or pedal power;
 - (ii) sailing boats that:
 - (a) do not exceed 1,000 kilograms unladen weight;
 - (b) do not incorporate any device for propelling the boat by power; and
 - (c) are not of the deep keel type; or
 - (iii) powered boats that:
 - (a) do not exceed 7 metres in length, overall;
 - (b) do not exceed 2.5 metres in width at any section; and
 - (c) do not exceed 1,250 kilograms unladen weight when imported with driving units and transmissions, or 800 kilograms unladen weight when imported without driving units and transmissions.
- (2) Except fur apparel and perfume concentrates.
- (1) The goods must be imported by an arriving person.
- (2) If the person is part of a family, only one article selected from each of the three groups (a), (b) and (c) (specified in Column 1) will be allowed for the family per three years.
- (3) If the person is not part of a family, only one article selected from each of the three groups (a), (b) and (c) (specified in Column 1) will be allowed for the person per three years.
- (4) The person must have:
 - (a) arrived in Australia with the intention of immediately taking up or resuming permanent residence; and
 - (b) personally owned and used the goods overseas for the twelve months preceding the person's departure for Australia.
- (5) If the goods are a boat specified in group (c), security shall be given by the person to an officer of Customs and to the satisfaction of that officer that the goods will not be sold or otherwise disposed of in Australia by or on behalf of the arriving person, within two years after the date of importation of the goods.
- (3) Aircraft of all types, having not more than one propulsion motor.
- (1) The goods must be imported by an arriving person who is an adult

permanent resident.

- (2) If the person is part of a family, only one aircraft will be allowed for the family.
 - (3) If the person is not part of a family, only one aircraft will be allowed for the person.
 - (4) The person must have personally owned and used the goods overseas for the six months preceding the person's departure for Australia.
 - (5) Security shall be given by the person to an officer of Customs and to the satisfaction of that officer that the goods will not be sold or otherwise disposed of in Australia by or on behalf of the arriving person, within two years after the date of importation of the goods.
 - (1) The goods must be imported by an arriving person who is an adult permanent resident.
 - (2) The person must have personally owned and used the goods overseas for the twelve months preceding the person's departure for Australia.
 - (3) The person must intend to use the goods or be in a position to use the goods.
 - (4) Security shall be given by the person to an officer of Customs and to the satisfaction of that officer that:
 - (a) the goods will, for a continuous period of two
- (4) Machinery, plant and equipment, not covered by a preceding item.

years, be put to use in Australia by the arriving person for the purpose for which they are intended; and

- (b) the goods will not be sold, leased, hired, mortgaged or otherwise disposed of, by or on behalf of the arriving person, before the expiration of the two year period referred to in sub-paragraph (a) of this condition.

(5) Fur apparel, personal effects, furniture and household goods, not covered by a preceding item.

(1) The goods must be imported by an arriving person.

(2) The person must have personally owned and used the goods overseas for the twelve months preceding the arriving person's departure for Australia.

(3) Except alcoholic beverages and tobacco products.

6. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

7. Customs By-law No. 0540002, published in Gazette No. TC 05/5 of 2 February 2005 is hereby revoked.

Op. 01.04.09 Dec. date 18.03.09 BL 0906051

NOTE: This by-law replaces Customs By-law No. 0540002, with effect from 1 April 2009.

..ITM 16

1. This by-law may be cited as Customs By-law No. 9640030.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 16 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to goods of a scientific nature that are imported in accordance with an agreement or arrangement between the Government of Australia and the government of another country on co-operation in the field of science and technology, provided that the Minister has approved in writing, prior to entry for home consumption, the kinds and

quantities of the goods imported and the uses to which the goods are to be put.

4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640030 16

..ITM 16

1. This by-law may be cited as Customs By-law No. 9640038.
2. This by-law shall take effect on and from 1 JULY 1996.
3. Item 16 in Part I of Schedule 4 to the Customs Tariff Act 1995 applies to goods of a scientific nature that are:
 - (i) imported in accordance with an agreement or arrangement between the Government of Australia and the government of another country on co-operation in the field of science and technology; and
 - (ii) required, in accordance with that agreement or arrangement, to be allowed entry into Australia free of Customs duty.
4. For the purposes of this by-law, the "Customs Tariff Act 1995" means the Customs Tariff Act 1995, as amended or proposed to be altered.

Op. 01.07.96 Dec. date 15.05.96 - BL 9640038 16