



Australian Government
Australian Customs Service

28
26

Reply to the Chief Executive Officer

Quote: TC 0911062
Your Ref: Mercator

Australian Customs Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601
Ph: (02) 6275 6758
Fax: (02) 6275 6376
Email: tarcon@customs.gov.au

2 April 2009

s47F
CONSOLIDATED CARGO UNIT TRUST
PO BOX 223
FOOTSCRAY VIC 3011

Dear s47F,

TARIFF CONCESSION SYSTEM
APPLICATION ACKNOWLEDGEMENT

Your application for a Tariff Concession Order, details of which are shown below, was received in this office on 1 April 2009. The TC number TC 0911062 has been allocated to your application.

Date Received:	1 April 2009
Applicant:	MERCATOR LIGHTING PTY. LTD.
Goods:	CEILING LIGHT FIXTURE
Applicant ABN/CAC	23005946958/001

Yours sincerely,

s47F
Customs Officer
Trade Services

09/10662 Grain

s47F

From: s47F
 Sent: Wednesday, 1 April 2009 13:14
 To: s47F
 Subject: RE: 4 TCO Applications [SEC=UNCLASSIFIED]

Security Classification: UNCLASSIFIED

Hello s47F

We have received your 4 TCO Applications on behalf of Mercator Lighting

The receipt date is the 1st of April 2009

Acknowledgement will be forwarded via the post at a later date

Regards

s47F

Senior Customs Officer
 Tariff Concessions Section
 Trade Services Branch
 Australian Customs and Border Protection Service
 Canberra ACT

Ph 02 6275 s47F Fax 02 6275 6376

-----Original Message-----

From: s47F
 Sent: Wednesday, 1 April 2009 12:07
 To: s47F
 Subject: FW:

s47F

Consolidated Cargo & Customs Pty/Ltd
 Suite 101, 416 Mt.Alexander Road
 Ascot Vale, Victoria 3032

webb-site: www.concargos.com.au
 e-mail: s47F
 ph: 03 9373-s47F
 fax: 03 9326-2600

-----Original Message-----

From: s47F
 Sent: Wednesday, 1 April 2009 12:06 PM
 To: 'tarcon@customs.gov.au'
 Subject: FW:

Good morning all

Please find attached tco application for ceiling light fixtures on behalf of mercator lighting Thanking you s47F

Tony Mercaldi



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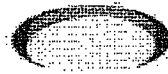


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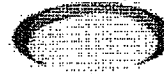
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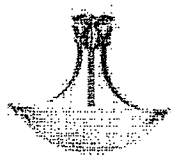
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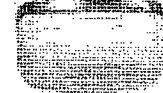
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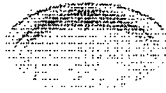
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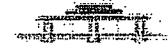
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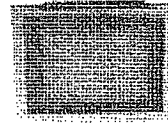
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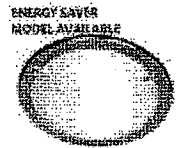
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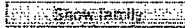
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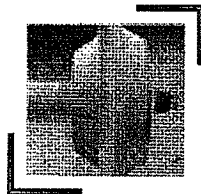
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Ampere manufactures and/or sells a wide range of electrical accessories. These electrical accessories are mainly targeted at the electrician seeking electrical fittings chosen for Australian conditions.

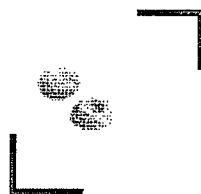
Wholly Australian owned and making quality electrical accessories since 1947, Ampere electrical contractor supplies are available from the majority of electrical wholesaler outlets in Australia. Ampere distributes electrical contractor supplies in each Australian state or territory through a network of their own warehouses or through selected agents.

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New & Featured Products



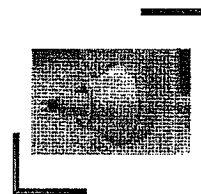
Klikseal **NEW**



Flexiseal **NEW**



Rutaseal Light **NEW**



Rutaseal **NEW**

The electrical accessory & fittings range includes:

- Lighting Products that include battenholders and lampholders.
- Cable holding and protection products that include plastic conduit bushes and stops and nylon cable glands.
- Connectors including strip connectors, single screw connectors and double screw connectors.
- Cable and conduit securing products including Quiklip™ plastic cable clips and "Suregrip" metal half saddles.
- Installation tools and accessories including Jack chain and pull through springs.
- Petzi head torches including the Tikkina and Tikka XP.
- Hollow wall fasteners including Anka plugs and Wall loks.
- Self-drilling screws in a variety of packs and sizes.
- Solid wall fasteners including nail in plugs and masonry anchors.
- Conduit plastic fittings including junction boxes and couplings.
- PVC Insulation Tape Duct Tape and Self Fusing Tapes.
- P&N cutting tools, drills, holesaws, spade bits and auger bits.
- Safety equipment including safety spectacles.

In addition to the range of electrical products for the electrical contractor Ampere have a range of products designed to supply Original Equipment Manufacturers especially lighting manufacturers. Lighting equipment manufacturers or other OEM's are invited to contact either the Ampere HO or the rep in their area for further information about electrical accessories designed specifically for their industries.

Electricians when calling at their wholesalers should specify Ampere electrical contractor supplies for great value products made/distributed by a wholly owned Australian company with a reputation for quality and value.

Our range of electrical accessories is constantly being upgraded and expanded. We attempt to upgrade this website every 3 to 4 months with releases of new electrical contractor supplies being shown on a separate "New Product" page. Click here to go to our New Products page & to view our Featured

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Complete
Light fittings*

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Copies of Australian Approvals for electrical accessories requiring them are available from Ampere Head Office on request.

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Energy Efficient Lighting

At **The Environment Shop**, we specialise in *Energy Efficient Lighting*. We stock a wide range of lamps and fittings for home, garden, office and retail and can source almost anything you can imagine. We have energy efficient alternatives for standard light globes, halogen downlights, outdoor lighting, garden lighting, older fluoro lamps and fittings including ballasts, industrial and factory lighting including mercury vapour alternatives, office lighting, display lighting and other specialist and detailed lighting challenges.

Our knowledgeable staff can advise you on the options available to replace your current inefficient lighting, or help you with a lighting plan for your new home, extension or renovation, ensuring you the lowest running costs and lighting that is beautiful as well as practical.

Lighting Design

We offer a lighting design service for new buildings and renovations. Call us to organise an appointment, then bring in your house plans and ideas and we will talk through them and come up with a lighting solution that is practical, beautiful and most importantly, efficient. Shortly after the meeting we will email you a formal copy of the lighting plan. Typical pricing for a family home is \$250, which also entitles you to a discount on light fittings bought through us.

Lighting Efficiency

The amount of energy used by lighting in Australian households is increasing, mainly due to larger house sizes and the proliferation of halogen downlights. It is possible to decrease the amount of energy used by your lights by up to 80% without affecting your light levels or quality. In fact many energy efficient lights provide better light coverage and quality than traditional lights.

Energy efficient lighting does not mean lower quality or less options. In fact, with modern technology such as LEDs, CFLs, micro fluoros such as the Megaman range and cold cathode fluorescent lamps, it is possible to light your home, garage, driveway, garden, shack, factory or shop in ways that we could only dream about in the past. Their low power consumption, lower operating temperatures, long operating life and versatile size and packaging means you can fit energy efficient lamps just about anywhere you need light, for practical purposes or for decoration. Low energy consumption also means it is much more viable to power lighting from renewable sources such as solar electricity, especially in areas that have no power available, such as sheds, gardens and remote areas.

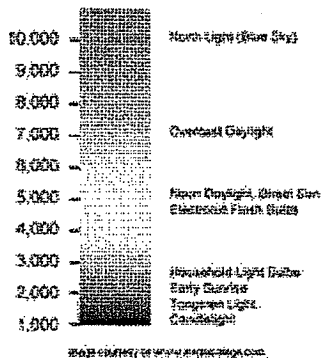
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FIRSTLY, SOME IMPORTANT DEFINITIONS

Colour Temperatures in the Kelvin Scale.



Watts – the wattage of a lamp indicates the rate at which it consumes electricity. A 12V lamp does not necessarily use less power than a 240V lamp, you have to compare the watts. E.g. a standard 12 Volt halogen lamp is 50 Watts, four of these in a room equals 200 Watts, not including losses in the transformers.

Lumens – are a measure of the luminous flux, basically the amount of light output by a lamp. You can directly compare the brightness of different types of lamps by comparing their output in lumens and you can get a good idea of the efficiency of a lamp by looking at the lumens/watt.

Colour Temperature – is an indicator of the colour of the white light emitted by a lamp. Incandescent lamps are usually very warm, with a slight yellow/orange tint to the light. Older style fluorescent lamps tended to be very cool with a bluish tinge that is very practical to work by not very

flattering. Modern cool white fluoros are a nicer shade and are excellent for detailed work and high visibility. Modern fluoro lamps come in a range of colour temperatures. Warm white is best for living areas, cool white is best for work areas such as kitchens. Colour temperature is measured in Degrees Kelvin. Warm white is typically 3500k or less, cool white is 4000k-6500k and daylight is 6500k+

TYPES OF LAMPS AND THEIR ALTERNATIVES

INCANDESCENT LAMPS

Incandescent lamps or bulbs are the most commonly used type of lighting. They include the standard everyday light bulbs and halogen downlights. They are typically inexpensive to buy but their lifetime running costs are high.

An incandescent lamp works by running electricity through a piece of wire known as the filament until it heats up enough to emit light, literally glowing white hot. This means that a lot of the energy used is lost as heat rather than light, which is both inefficient and dangerous, with halogen downlights responsible for many house fires.



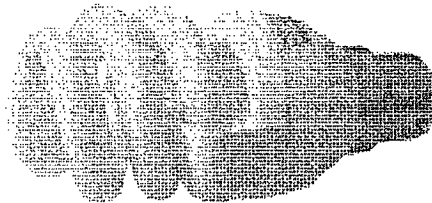
Standard light bulbs typically only last about a thousand hours and must be regularly replaced, which can be very costly, dangerous or just outright annoying in difficult situations such as high ceilings.

Incandescent lamps are most suitable for areas where lighting is used infrequently and for short periods, such as laundries and toilets and also harsh environments such as inside fridges and ovens. Even though they are inefficient users of energy, incandescent lamps can still be the most suitable choice for certain situations.

COMPACT FLUORESCENT LAMPS

The best alternative to the standard lightbulb in most situations is the compact fluorescent lamp, or CFL. First invented during the oil crisis of the 1970s, they have become commonly available in the last few years and provide very good quality light with up to 80% less energy use than an equivalent incandescent light bulb.

Most of our Compact Fluoro Lamps use spiral tubes, which provide a better distribution of light and are more compact and better looking than the more common linear tube lamps.



CFLs work by creating an arc that causes a phosphor on the inside of the tube to glow. There is some circuitry inside the base that controls the arc and stops the lamp flickering at switch on like in older fluoro lamps.

The main issue with compact fluorescents is the large amount of energy and materials that goes into manufacturing a lamp compared to an incandescent. This is known as embodied energy. The much longer typical lifetime of a CFL means that the greater embodied energy is more than made up for by the energy saved during use. The problem appears when the lamp doesn't last as long as it should.

The answer to this is to buy a good quality CFL and make sure it is used appropriately. CFLs don't like electronic switches such as sensor lights and most are not compatible with dimmers. We have high quality Dimmable CFLs available.

HALOGEN LAMPS

Halogen downlights have become very popular over recent years. They are usually low voltage systems, which many people have interpreted as low power. This is not true.



Because of the directional nature of the halogen downlights, more fittings are needed to light up a room compared to traditional light globe batten fittings. Typical downlights use a 50watt lamp and a transformer that can use as much as 10-15 watts more, for a total of up to 65 watts per fitting. With 6 fittings per room, this can add up to 390 watts. The same amount of light can be provided by two 20 watt CFL lamps in batten fittings. Count the number of halogen downlights in your house

and add up the watts!

Halogens are also a fire hazard. The filaments in halogen lamps rise to about 2500°C and the bulb wall is about 500°C. We have measured the external temperature of our display halogen lamps at over 200°C in open air. The temperature at which paper will ignite without a spark or flame is around 230°C. This means that if insulation is pushed against the lamp fitting or rodents drag nesting materials around in your roof a fire can very easily occur.

We highly recommend products such as the Isolite downlight cover and the TENMAT Fire-rated downlight covers to protect your downlights. These products will also make your home more efficient by stopping the thermal chimney effect, caused by the hot air being drawn through the lamp fitting and into the roof space.

If you are renovating or designing a new home we highly recommend you do not install downlights, there are better ways of lighting a room. However, many people already have many downlight fittings in their home, or simply prefer the appearance.

We offer several efficient downlight alternatives.

HIGH EFFICIENCY AND LOW WATTAGE HALOGEN LAMPS



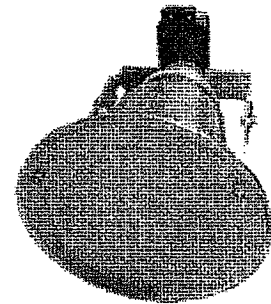
The simplest alternative is to replace your existing halogen lamps with

the more efficient IRC lamps. They are identical to standard halogens, except that the bulb has an Infra Red Coating which reflects some of the heat back into the filament. As a result a 35 watt lamp can produce as much light as a 50 watt lamp. Lamp life is also extended to 4,000 hours. These lamps will save up to 30% of energy compared to a standard halogen.

It is also worth considering replacing some of your lamps with a lower wattage where light levels are too high. E.g. Replace a 50w standard halogen with a 20w IRC halogen. This option is ideal for renters and others who cant afford or may not want to change their light fittings. However, the fire hazard still remains and much greater energy savings can be made with other options.

CFL DOWNLIGHT FITTINGS

The best alternative we have found for replacing standard 50W halogen downlights is a 15W Compact Fluoro lamp in a fitting specially designed for CFLs. Dont try putting CFLs into fittings designed for incandescent lamps, the reflector needs to be different to efficiently get the light out. We have a range of downlight fittings designed specifically for CFLs available in different sizes, shapes and finishes. You can see them here.



MICRO FLUOROS



Technical Specifications
 Voltage: 240V
 Power: 11W
 Base: GU10
 Colour: Warm White
 Beam Angle: 36°
 Life: 10,000 hours
 Dimensions: 20mm x 20mm x 40mm

Micro Fluoro Lamps use the same technology as Compact Fluoro Lamps but in a smaller package, designed to fit into a standard downlight lampholder. Most use the 240V GU10 two pin fitting the same as 240V halogen lamps. This means that you can directly replace any 240V halogens you have, but you will have to remove the transformer and add a GU10 adaptor to your existing fittings if you are replacing 12v halogens. As this is fixed wiring it requires a licensed electrician, but it is a simple job and shouldnt take them long.

The compact size means that the maximum wattage we have available at the moment is 11w, roughly equivalent to a 50w halogen. However the light quality is a little different. Halogen downlights tend to throw a very directed beam of light that is tightly focussed in the centre, while fluoro lamps tend to spread the light very evenly across a wide angle. An 11w micro fluoro lamp emits the same amount of light as a 50w halogen, however the light is spread more evenly and there are no bright spots to grab the eyes attention. This means that we perceive the light levels as being slightly lower than with halogens. If you want the same perceived light levels, you will need to install additional light fittings.

LEDs

LEDs or Light Emitting Diodes are semiconductor devices which emit light. They can potentially have a very long life (100,000 hours), offer reasonably high efficiencies and are compact, very rugged and highly controllable for both colour and brightness.

Currently, LEDs tend to be very focussed light sources and there are limitations on the power output levels, so they are not very practical for room lighting. (Yet!) However, they are ideal for display and task lighting, where the object to be lit is close to the light source. They make excellent workbench lamps in a kitchen or workshop and are ideal for lighting up works of art.

The range of fittings, colours and brightness levels available mean that LEDs have amazing potential for decorative lighting, whether in your garden, in a shop, around the house, for art or on your christmas tree.

Technology is moving very rapidly in this area, so it is hard for us to keep the website up to date. Please call or email us if you are interested in using LEDs, we can source a very wide range and always have several types in stock and on display.

SOLAR BUD LIGHTING

Recent technological advances have made it possible to use *Solar Powered LED* (Light Emitting Diodes) lights for exterior decorative lighting. The result is much lower power consumption, longer life and when powered with solar panels, zero green house gas emissions. The use of solar power also means total flexibility in locating the lights, as no 240-volt power is required.

Solar Bud Lighting (*Solar Fairy Lights/Solar Christmas Lights*) can add magical sparkle to trees and buildings in public places. However of all the forms of public lighting it is by far the most energy inefficient. Those little glowing bulbs are designed for long life rather than efficiency. They are very wasteful, producing much more heat than light. In fact, conventional bud lighting produces 2 or 3 lumens per watt compared to about 15 lumens per watt for standard incandescent lamps.

Advantages

- Uses less energy. Can be as low as 5% of conventional bud lighting.
- No greenhouse gas emissions when run by solar power.
- Light can go anywhere. No 240 Volt power is required, so the light can go in the middle of parks, on buildings, anywhere.
- These *LED lights* can still be used where 240 Volt power is available, but have the major advantages of dramatically improved energy savings and long life.
- Last longer. *LED Lights* can last from 50,000 to 100,000 hours.
- The white *LED Lights* create clean attractive light similar to starlight.
- Flexibility, the lights can be used on trees, to profile buildings or provide lighting effects with flashing, pulsing or fading lights of any colour.

The Environment Shop supplies a range of systems from simple domestic sets for under \$50 to large tree lighting systems costing thousands of dollars. Please note the larger tree systems are built to order. Prices are indicative only and would have to be confirmed with a quotation. The Environment Shop can also offer a full installation service of both the solar and LED light components.

Medium Tree LED Light Kit (No Solar)

This system consists of 5, 5 metre strings of lights with a controller and cables. It can be used as an energy saving alternative when 240 volts is available. This price does not include installation.
approx \$450

Large Tree LED Light Kit (No Solar)

This system consists of 15, 5 metre strings of lights with a controller and cables. It can be used as an energy saving alternative when 240 volts is available. This price does not include installation.
approx \$1,200

Medium Tree LED Solar Light Kit

This system consists of photovoltaic solar panel, battery pack, controller, lighting regulator, weatherproof box, distribution box and 5, 5 metre strings of lights with cables. It can be used in any location. This price does not include installation.
approx \$1,600

Large Tree LED Solar Light Kit

This system consists of photovoltaic solar panel, battery pack, controller, lighting regulator, weatherproof box, distribution box and 15, 5 metre strings of lights with cables. It can be used in any location. This price does not include installation.
approx \$2,500



Building LED Solar Light Kit

This system is specifically designed to be used in architectural applications. It could be used on a building to outline its shape, to provide a colourful display, to spell out a message or any other applications. It consists of a photovoltaic solar panel, battery pack, controller, lighting regulator, weatherproof box, distribution box and 50 metres of lights with cables. It can be used in any location. This price does not include installation. Smaller and larger kits are available.
approx \$2,000

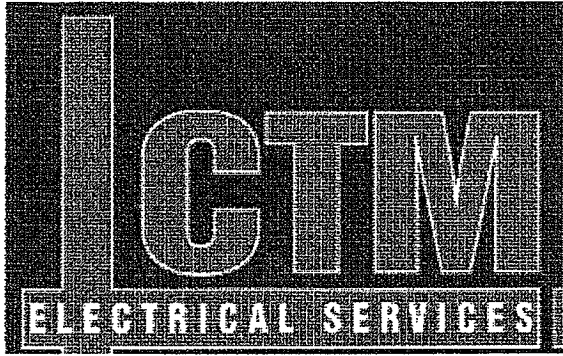
BROWN AND SON ELECTRICAL

- New installations and repair to power point outlets internal or external.
- safety switches on the power and lighting circuits.
- Installation and repair of exhaust fans.
- Installation of all types of Ceiling sweep fans / Fan Lights.
- New installation and repair of lighting, including New points, sensor lights, low voltage garden lighting, Floodlighting.
- Installation of Light fittings.
- New installation of Range or Wall Oven & Hotplate, Replacement of existing cooking equipment.
- Installation of heavy duty power for Air Conditioners
- Installation of new circuits to provide better power distribution, room for additional points etc.
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- Surge protection to the home or Office

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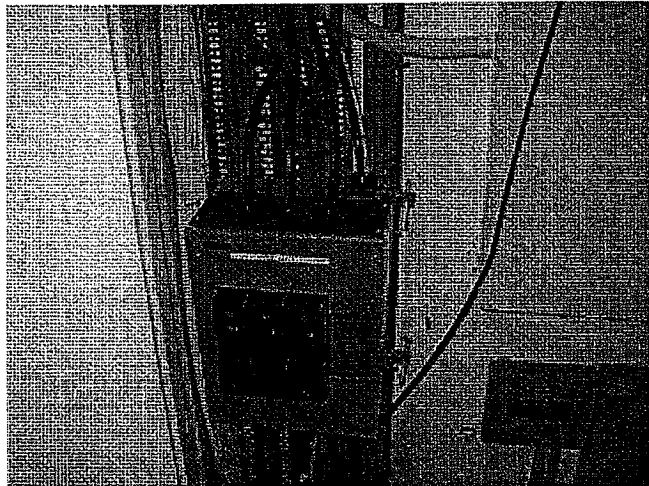
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- School electrical maintenance contracts
- Industrial building's electrical installation
- 24hr emergency electrical services by prior arrangement

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 Ph: 9462 4322
 Fax: 9462 6066
 Email: info@ozpartyhire.com.au

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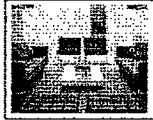













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When you have clicked into a site and found what you want just make a call or drop in to a local store. If your renovating an existing home or building a new home or simply refurbishing this is the place to start and finish. And remember, Relax it's all here in one place. links

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 Bathroom spa	 Kitchen rendezvous	 Cinema space
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Web Design Melbourne by Tyranny

s47F

From: s47F
Sent: Wednesday, 1 April 2009 12:06
To: TARCON
Subject: FW:

Attachments: 20090401105609203.pdf



20090401105609203.pdf (2 MB)

Good morning all
Please find attached tco application for ceiling light fixtures on behalf of mercator lighting Thanking you s47F

s47F

Consolidated Cargo & Customs Pty/Ltd
Suite 101, 416 Mt.Alexander Road
Ascot Vale, Victoria 3032

webb-site: www.concargo.com.au
e-mail: s47F
ph: 03 9373-s47F
fax: 03 9326-2600

-----Original Message-----

From: s47F
Sent: Wednesday, 1 April 2009 11:56 AM
To: s47F
Subject:

This E-mail was sent from "RNPC25519" (MP 3500/LD335).

Scan Date: 01.04.2009 10:56:09 (+1000)
Queries to: s47F



If this form was completed by a business with fewer than 20 employees, please provide an estimate of the time taken to complete this form.

Hours Minutes

APPLICATION FOR A TARIFF CONCESSION ORDER (TCO)

The form should be read carefully before being completed

- (a) Before lodging an application for a TCO, the applicant should determine whether a suitable TCO already exists. Information on existing TCOs is contained in the schedule of Concessional Instruments (SCI), a copy of which is available at each Regional Office of Customs. A TCO can be used by any importer.
- (b) An application will be date stamped on the day it is first received in Canberra by an officer of Customs. Receipt of an application will be acknowledged. Any resultant TCO will operate from the date of receipt. Instructions on how to lodge this form are provided at the end of this form.
- (c) Where an application is accepted as being a valid application, the identity of the applicant and of the Importer for whom the applicant is acting will be published in the *Gazette*.
- (d) Section 269F of the *Customs Act 1901* requires that a TCO application to be in writing, be in an "approved form", contain such information as the form requires, and be signed in the manner indicated in the form. **This is the approved form for the purposes of that section.**
- (e) Section 269FA of the *Customs Act 1901* states "It is the responsibility of an applicant for a TCO to establish, to the satisfaction of the Chief Executive Officer (CEO), that, on the basis of:
- (i) all information that the applicant has, or can reasonably be expected to have; and
- (ii) all inquiries that the applicant has made, or can reasonably be expected to make;
- there are reasonable grounds for asserting that the application meets the core criteria". The application is taken to meet the core criteria if, on the day of lodgement of the application, no substitutable goods were produced in Australia in the ordinary course of business.
- (f) **Every question on the form must be answered.** Failure to supply the information required by this form will result in rejection of the application (and in the loss of operative date).
- (g) Where the form provides insufficient space to answer a question, an answer may be provided in an attachment. The attachment should clearly identify the question to which it relates.
- (h) All information about inquiries into the production of substitutable goods must relate to the date the application is lodged with Customs.
- (i) Customs may require an applicant to substantiate, with documentary evidence, any information provided in the application form.
- (j) Further information on the Tariff Concession System is available in Part XVA of the *Customs Act 1901*, in the foreword to the Schedule of Concessional Instruments, in the administrative guidelines in Volume 13 of the Australian Customs Service Manual, in Australian Customs Notice No. 98/19, on the internet at www.customs.gov.au, by e-mailing information@customs.gov.au or by phoning the Customs Information Centre 1300 363 263.

APPLICANT DETAILS (An agent/broker should provide details on the next page)

Applicant's Name Mercator Lighting		Australian Business Number (A.B.N.) 2300 5946958
Postal Address P.O. Box 66 Dallas. Victoria. 3047		
Applicant's Reference Mercator	Owner Code (if applicable) 2300 5946958	
Company Contact s47F	Position Held s47F	
Telephone Number s47F	Facsimile Number 0393026262	E-mail Address

If you do not intend to use the TCO to import into Australia the goods the subject of the application, you must provide, in the section below, the identity of the importer for whom you are acting (refer to paragraph 269F(3)(c) of the *Customs Act 1901*).

IMPORTER DETAILS

Importer's Name (If same as applicant, write "as above") AS ABOVE		A.B.N.
Postal Address		
Importer's Reference	Owner Code	
Company Contact	Position Held	
Telephone Number	Facsimile Number	

6

AGENT/BROKER DETAILS (if applicable)

Agent's Name Consolidated Cargo & Customs		A.B.N. 4875 8123229
Postal Address P.O. Box 223, Footscray, Victoria. 3011		
Agent's Reference Mercator	Agency s47F	
Telephone Number 039373 s47F	Facsimile Number 039326 2600	E-mail Address s47F

DESCRIPTION OF GOODS

- (a) The description of the goods in the application will be used as the description of the goods in the TCO (if made).
- (b) The application should provide a full description of the goods, including the physical features of the goods or the various components of the goods. It should not describe the goods in terms of what they do.
- (c) In accordance with section 269SJ of the *Customs Act 1901*, the CEO must not make a TCO in respect of goods:
 - (i) described in terms other than in generic terms; or
 - (ii) described in terms of their intended end use; or
 - (iii) declared by the regulations to be goods to which a TCO should not be extended.
 Goods will be taken to be described in terms other than in generic terms if, for example, their description, either directly or by implication, indicates that they are goods of a particular brand or model, or that a particular part number applies to the goods.
- (d) Guidance on the drafting of the description of goods is contained in Volume 13 of the ACS Manual and in Australian Customs Notice No. 98/19.

1 Describe the goods

Ceiling Light Fixture, Non-Ceramic.

**With or without shade, globe,
Without Separate Independant ballast.**

*CERAMIC FRAMEWORK
OF LIGHT FITTING*

ILLUSTRATIVE MATERIAL

2 Attach technical, illustrative descriptive material and/or a sample to enable a full and accurate identification of the goods the subject of the application.

TARIFF CLASSIFICATION

3 Identify the tariff classification (to 8 figure subheading level) **94054000**
 Identify the General Duty rate **05%**
 If a Tariff Advice for the goods has been sought or obtained, please provide the TA No.
 or attach a copy.

USES OF THE IMPORTED GOODS

4 Describe ALL uses (including design uses) to which the goods can be put.

Lighting up Room

SUBSTITUTABILITY OF LOCALLY PRODUCED GOODS

- (a) A local manufacturer's goods are substitutable when they are put, or are capable of being put, to a use that corresponds with a use (including a design use) to which the goods the subject of the application can be put (subsection 269B(1) of the *Customs Act 1901*). Even if not identical, locally made goods may be substitutable.
- (b) In determining whether the uses of Australian produced goods correspond with the uses of the goods the subject of the application, the ability of the goods to compete with each other in any market is not relevant.
- (c) The applicant must provide written information as to the inquiries made to establish that there are reasonable grounds for believing that there are no producers of substitutable goods in Australia. The application must include a copy of the research material sourced and a copy of correspondence to, and replies from, potential local manufacturers or relevant industry associations. The application will be rejected if it fails to provide all written information as to the inquiries made.

NOTE: The Australian Customs Service suggests that potential local manufacturers should be given at least 10 working days to respond to inquiries concerning local manufacture.

5 Provide details of the nature of ALL inquiries you have undertaken in order to establish that substitutable goods are not produced in Australia, and the results of those inquiries. Attach copies of all correspondence or directory searches, etc.

NO Australian Producer Found.

6 Provide any additional information in support of discharging your responsibility to establish that there are reasonable grounds for asserting that there are no substitutable goods produced in Australia in the ordinary course of business.

Internet Sites attached.

PRESCRIBED ORGANISATIONS

7 Have you made inquiries of a prescribed organisation to obtain advice about whether there are producers in Australia of substitutable goods?

YES NO If YES, attach a copy of the advice received.

Note that under subsection 269M(6) of the *Customs Act 1901*, the CEO may, despite section 16 of the *Customs Administration Act 1985*, give a copy of all, or of a part, of the application to a prescribed organisation.

ADDITIONAL INFORMATION

8 Provide any additional information in support of your application.

.....

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.....

.....

DECLARATION

I, S47F	Position Held S47F
Company (if applicable) <i>Consolidated Cargo & Customs Services</i>	
declare that:	
1 To the best of my knowledge and belief the information contained in this form is correct; and	
2 I have the authority to act on behalf of the company/applicant; and	
3 I agree, in submitting this form by electronic means (including facsimile) that, for the purposes of Sub-Section 14(3) of the Electronic Transactions Act, this application will be taken to have been lodged when it is first received by an officer of Customs, or if by e-mail, when it is first accessed by an officer of Customs, as specified in Sub-Section 269F(4) of the Customs Act.	
Signature of Applicant/Agent/Broker S47F	Date <i>1-4-09</i>

NOTE: SECTION 234 OF THE CUSTOMS ACT 1901 PROVIDES THAT IT IS AN OFFENCE TO MAKE A STATEMENT TO AN OFFICER THAT IS FALSE OR MISLEADING IN A MATERIAL PARTICULAR.

WHEN THIS FORM HAS BEEN COMPLETED LODGE IT WITH CUSTOMS BY:

- posting it by prepaid post to the National Manager, Tariff Branch
Australian Customs Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601
- or
- delivering it to the ACT Regional Office located at
Customs House, Canberra
- or
- sending it by facsimile to (02) 6275 6376
- or
- e-mailing it to tarcon@customs.gov.au.

**MINUTE PAPER
CENTRAL OFFICE**

TR5

TC Number 0911062

Please provide a Tariff Classification for the goods subject of this Tariff Concession application

TC Officer: _____

OP Date: 01-Apr-09

APPLICANT: Mercator Lighting

GOODS: Ceiling Light Fixture

CLAIMED CLASSIFICATION: 9405.40.00

Date to Classification Section: 3/4/09

Required Return Date: Date to Class plus 3 _____

TA No. & CLASSIFICATION: _____

CLASSIFICATION DECISION:

9405	10	00
------	----	----

IS TCO RESTRICTED BY REG. 185? NO

GENERAL DUTY RATE:

5%

IDENTIFICATION OF GOODS: NON ceramic ceiling lights

HEADINGS CONSIDERED: 9405

COMMENTS AND CHAPTER NOTES: Class change - 9405.10.00 cover goods. goods are electric ceiling lights covered more specifically in 9405.10.00 than 9405.40.00

RETURNED TO TARIFF CONCESSIONS BY:

NAME & DATE:



3-4-09

CLASS CHANGE



Australian Government
Australian Customs Service

Reply to the Chief Executive Officer

Quote: TC 0911062

Your Ref: Mercator

Australian Customs Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601
Ph: (02) 6275 6666
Fax: (02) 6275 6376
Email: tarcon@customs.gov.au

19 June 2009

s47F

CONSOLIDATED CARGO UNIT TRUST
PO BOX 223
FOOTSCRAY VIC 3011

Dear s47F

TARIFF CONCESSION SYSTEM
APPLICATION SUCCESSFUL

I refer to your application for Tariff Concession Order (TCO) Number TC 0911062 lodged on 1 April 2009.

As a delegate of the Chief Executive Officer I am satisfied that the application meets the core criteria on the basis of section 269C of the *Customs Act 1901* and have accordingly made a written Tariff Concession Order.

The decision to make a TCO will be published in Gazette Number TC09/25 of 24 June 2009.

The TCO, as detailed in the attachment, will also be published in the Schedule of Concessional Instruments as soon as possible.

Yours sincerely,

s47F

Delegate of the Chief Executive Officer

s47F

From: s47F
Sent: Thursday, 29 October 2009 10:50
To: s47F
Subject: FW: Lamps and EGS [SEC=UNCLASSIFIED]
Attachments: F1996B04019 [SR 1983 No. 93].pdf; F1996B04055 [SR 1987 No. 316].pdf
Security Classification: UNCLASSIFIED

s47F | Tariff Standards | Trade Services | Australian Customs and Border
 Protection Service

P: (02) 6275 s47F | F: (02) 6275 6471

90

From: s47F
Sent: Thursday, 30 July 2009 8:35 AM
To: s47F
Subject: FW: Lamps and EGS [SEC=UNCLASSIFIED]

Good morning all,

We have a happy DIISR again. s47F & s47F lets start a file on EGS matters to keep any matters like this that arise.

Cheers,

s47F

s47F | Tariff Review Section Trade Services | Australian Customs and Border
 Protection Service

P: (02) 6275 s47F | F: (02) 6275 6471

From: s47F
Sent: Wednesday, 29 July 2009 4:58 PM
To: s47F
Cc: s47F
Subject: RE: Lamps and EGS [SEC=UNCLASSIFIED]

Thank you s47F

This is very helpful, and is completely consistent with the policy intent for the EGS. When promulgated in 1983, the EGS excluded ceramic articles of then 6913. From 1 January 1988, on the introduction of the Harmonized System, it would appear that some goods previously within 6913 moved to new 9405:

Customs Tariff Act 1982

69.13 * STATUETTES AND OTHER ORNAMENTS, AND ARTICLES OF PERSONAL
 ADORNMENT; ARTICLES OF FURNITURE
 Customs Tariff Act 1987

29/10/2009



Chapter 69

...
2.- This Chapter does not cover:

...
(h) Articles of Chapter 94 (for example, furniture, lamps and lighting fittings, prefabricated buildings);

...
6913 STATUETTES AND OTHER ORNAMENTAL CERAMIC ARTICLES:

9405 LAMPS AND LIGHTING FITTINGS INCLUDING SEARCHLIGHTS AND SPOTLIGHTS AND PARTS THEREOF, NOT ELSEWHERE SPECIFIED OR INCLUDED; ILLUMINATED SIGNS, ILLUMINATED NAME-PLATES AND THE LIKE, HAVING A PERMANENTLY FIXED LIGHT SOURCE, AND PARTS THEREOF NOT ELSEWHERE SPECIFIED OR INCLUDED:

It is for this reason that the exclusion for 9405, with the exception for goods other than ceramic, exists.

See also attachments for the EGS before and after the tariff change.

Therefore, from a policy perspective, we are looking to exclude those goods that would have been classified in 6913 before the HS88 tariff change, but within 9405 after that change. We would therefore agree that the exclusion should apply only to lamps etc that would be characterised as "ceramic", rather than to lamps that have subsumed within them a ceramic electrical part.

Thanks again,

s47F
s47F Customs Policy
Trade and International Branch
Enterprise Connect Division

Department of Innovation, Industry, Science and Research

Level 11 Industry House, 10 Binara Street, Canberra City ACT 2601
GPO Box 9839, Canberra ACT 2601
Ph: 61-2-6213 s47F
Email: s47F
Internet: <http://www.innovation.gov.au>
ABN 51 835 430 479

From: s47F
Sent: Wednesday, 29 July 2009 3:39 PM
To: s47F
Cc: s47F
Subject: Lamps and EGS [SEC=UNCLASSIFIED]

Good afternoon s47F

My colleagues and I have discussed this matter and we are in agreement that the following is a logical way to read the exclusion given our understanding of the legislative intent.

Lamps made solely, predominantly or significantly of ceramics are clearly excluded from the Tariff Concession Order (TCO) system by items 49 to 52 in Schedule 2 of the *Customs Regulations 1926*. Predominantly or significantly includes lamps made of multiple materials where the ceramic component is intrinsic to the lamp as a good: for example a table lamp with a ceramic base and a glass shade.

However it is recognised that ceramics are often used in electrical components, including in bulb holders. Therefore many lamps which would not in the ordinary use of the English language be called "ceramic lamps" do have minor electrical components which are made wholly or partly from ceramics. Where the use of ceramics is limited solely to these minor components and these components do not

29/10/2009

give the whole good the character of being "of ceramics" they do not cause the lamp to be identified as a ceramic lamp and hence a TCO can be made.

This conclusion on the reading of the items was based on the recognition that reading it to also exclude lamps with minor components would render almost all lamps, including those normally considered not to be ceramic, ineligible. Hence we believe the above provides a reading consistent with the purpose of the legislation.

In order to ensure this, we would ask that you, as a representative of the policy department involved in the drafting of the items, would please consider and confirm whether the above reading is in accordance with the legislative intent.

Regards,

s47

s47F | Tariff Review Section Trade Services | Australian Customs and Border Protection Service

P: (02) 6275 s47F | F: (02) 6275 6471

88

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Statutory Rules 1983 No. 1

921

Customs Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting
with the advice of the Federal Executive Council, hereby make the following
Regulations under the *Customs Act 1901*.

87

Dated 29 June 1983.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

(Sgd) John N. Button

Minister of State for
Industry and Commerce

1. Before regulation 189 of the Customs Regulations the following
regulations are inserted:

Interpretation of regulation 185 and Schedule 2

"184. (1) In regulation 185, 'application', 'concession order' and
'particular goods' have the meanings they have in Part XVA of the Act.

"(2) Sub-sections 269B (2), (3), (4), (5), (6) and (7) of the Act have the
same effect for the purposes of regulation 185 and Schedule 2 as they have for
the purposes of Part XVA of the Act.

"(3) A reference in regulation 185 and Schedule 2 to a tariff item, tariff
sub-item, tariff paragraph or tariff sub-paragraph shall be read as a reference to
an item, sub-item, paragraph or sub-paragraph, as the case may be, in Schedule
3 to the *Customs Tariff Act 1982*.

Concession orders not to be made in respect of particular goods

"185. For the purposes of sub-section 269D (1) of the Act, the particular
goods in respect of which a concession order shall not be made are the goods
that fall within a tariff item, tariff sub-item, tariff paragraph or tariff
sub-paragraph referred to in Column 2 of Schedule 2 in an item in that
Schedule other than goods (if any) described in Column 3 of that Schedule in
that last-mentioned item."

Aircraft

2. Regulation 195 of the Customs Regulations is amended by omitting "the accompanying Schedule" and substituting "Schedule 1".

Forms

3. Regulation 196 of the Customs Regulations is amended by omitting "the accompanying Schedule" and substituting "Schedule 1".

Additional copies of forms may be required

4. Regulation 199 of the Customs Regulations is amended by omitting "the Schedule" and substituting "Schedule 1".

Schedule 1

5. The Schedule to the Customs Regulations is amended by omitting the heading "SCHEDULE" and substituting "SCHEDULE 1".

Schedule 2

6. The Customs Regulations are amended by adding at the end thereof the following Schedule:

SCHEDULE 2

Regulations 184 and 185

Column 1	Column 2	Column 3
Item	Tariff item, tariff sub-item, tariff paragraph or tariff sub-paragraph	Description of goods
1	04.02 to 24.02 inclusive	
2	33.06.1	
3	39.07.11	
4	40.13	Gloves, mittens and mitts of the work type
5	42.03	Gloves, mittens and mitts of the work type
6	48.21.3	
7	60.03	
8	60.04	Babies' napkins
		Urinary incontinence pants
9	60.05	Goods, other than articles of apparel and clothing accessories
10	60.06	Goods, other than garments, articles of apparel and clothing accessories
11	61.01	Bullet proof body armour
		Loggers' safety trousers
12	61.02	
13	61.03	Bullet proof body armour
14	61.04	Babies' napkins
		Bullet proof body armour
15	61.07	
16	61.09	
17	61.11	
18	64.01	Ski shoes
19	64.02	Ski shoes
20	64.03	
21	64.04	Ski boots and ski shoes
22	64.05	Parts for ski boots
		Wooden shanks for boots, shoes or slippers
23	65.01	
24	65.03	
25	65.05	

SCHEDULE 2—continued

Column 1	Column 2	Column 3
Item	Tariff item, tariff sub-item, tariff paragraph or tariff sub-paragraph	Description of goods
26	65.06	
27	69.13	
28	71.12	
29	71.13	
30	71.14	
31	71.15	
32	83.06.1	
33	87.02	Rock buggies, dumpers, shuttle dumpers, tailgate dumpers and the like
34	87.04	Vehicles having a gross vehicle weight rating of more than 2.72t
35	87.05	Goods, other than chassis fitted with engines for motor vehicles having a gross vehicle weight rating of not more than 2.72t and falling within tariff item 87.02
36	87.06.3 and 87.06.9	Goods, other than parts and accessories for the original equipment manufacture of motor vehicles having a gross vehicle weight rating of not more than 2.72t
37	94.01.3	
38	94.01.9	
39	94.03	

85

NOTES

- Notified in the *Commonwealth of Australia Gazette* on k 1983. July
- Statutory Rules 1926 No. 203 as amended to date. For previous amendments see Note 2 to Statutory Rules 1983 No. k and see also Statutory Rules 1983 No. k 921 921

(Statutory Rules administered by the
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Secretary in connection with the preparation of
Ex. Co. Secretariat. please complete this copy by
insertion of signatures and date of making, and send
to: Legislative Services Section.
Commercial & Drafting Division, Attorney-General's
Department.



Statutory Rules 1987 No. 21

316/

Customs Regulations² (Amendment)

84

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Customs Act 1901*.

Dated 21 December 1987.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

Barry Jones
Minister of State for Science
and Small Business

Commencement

1. These Regulations shall come into operation on 1 January 1988.

Principal Regulations

2. In these Regulations, "Principal Regulations" means the Customs Regulations.

Entry for export—required particulars

3. Regulation 99 of the Principal Regulations is amended by omitting from paragraphs (2) (l) and (2) (m) respectively "Australian Export Commodity Classification" and substituting "Australian Harmonized Export Commodity Classification".

Particulars required of goods exempted from entry for export

4. Regulation 99A of the Principal Regulations is amended by omitting from paragraphs (j) and (k) respectively "Australian Export Commodity Classification" and substituting "Australian Harmonized Export Commodity Classification".

Australian Harmonized Export Commodity Classification document

5. Regulation 99B of the Principal Regulations is amended by omitting subregulation (1) and substituting the following subregulation:

"(1) A reference in regulation 99, 99A or 100 to the Australian Harmonized Export Commodity Classification is a reference to the document known as the Australian Harmonized Export Commodity Classification published by the Australian Bureau of Statistics as in force on 1 January 1988."

Goods exempted from entry for export

6. Regulation 100 of the Principal Regulations is amended by omitting from paragraph (1) (c) "Australian Export Commodity Classification" and substituting "Australian Harmonized Export Commodity Classification".

Interpretation of regulation 185 and Schedule 2

7. Regulation 184 of the Principal Regulations is amended by omitting subregulation (3) and substituting the following subregulation:

"(3) A reference in regulation 185 and Schedule 2 to a heading or a subheading is a reference to a heading or a subheading, as the case may be, in Schedule 3 to the *Customs Tariff Act 1987* and includes a reference to any subheading listed under such a heading or subheading."

8. Regulation 185 of the Principal Regulations is repealed and the following Regulation substituted:

Restrictions on concession orders

"185. For the purposes of subsection 269D (1) of the Act, the particular goods in respect of which a concession order shall not be made are goods classified under a heading or subheading referred to in Column 2 of an item in Schedule 2 other than any goods described in Column 3 of that item in that Schedule."

Schedule 2

9. Schedule 2 to the Principal Regulations is repealed and the following Schedule substituted:

SCHEDULE 2

Regulation 185

GOODS IN RESPECT OF WHICH CONCESSION ORDERS SHALL NOT BE MADE

Column 1 Item No.	Column 2 Heading or subheading	Column 3 Goods to which restriction does not apply
1	0401 to 1516 (inclusive)	
2	1517	Mould release preparations
3	1518	Linoxyn

SCHEDULE 2—continued

Column 1 Item No.	Column 2 Heading or subheading	Column 3 Goods to which restriction does not apply
4	1519.1	
5	1519.20.00	
6	1520 to 2403 (inclusive)	
7	3303.00.00 to 3306 (inclusive)	
8	3307	Prepared room deodorisers
9	3926.20.20	
10	4015	Gloves, mittens and mitts of the work type
11	4203	Gloves, mittens and mitts of the work type
12	4818.50.10	Urinary incontinence pants
13	6101 to 6106 (inclusive)	
14	6107 and 6108	Urinary incontinence pants
15	6109 and 6110	
16	6111	Babies' napkins
17	6112 to 6115 (inclusive)	
18	6116	Gloves, mittens and mitts of the work type Gloves, mittens and mitts not elastic or rubberised
19	6117	
20	6201 and 6202	
21	6203	Loggers' safety trousers
22	6204 to 6206 (inclusive)	
23	6207 and 6208	
24	6209	Babies' napkins
25	6210	
26	6211	Bullet proof body armour
27	6212 to 6215 (inclusive)	
28	6217	Stockings, socks and sockettes
29	6401 to 6405 (inclusive)	Ski-boots and cross-country ski footwear
30	6406	Parts for ski-boots and cross-country ski footwear Wooden shanks for boots, shoes or slippers
31	6501.00.00	
32	6503.00.00	
33	6505 and 6506	
34	6913	
35	7113 to 7116 (inclusive)	
36	7117.90.00	Goods, other than of ceramic
37	8306.2	
38	8702 and 8703	Vehicles having a gross vehicle weight of more than 2.72 tonnes
39	8704	Vehicles having a gross vehicle weight of more than 2.72 tonnes Rock buggies, dumpers, shuttle dumpers, tailgate dumpers and the like

82

SCHEDULE 2—continued

Column 1 Item No.	Column 2 Heading or subheading	Column 3 Goods to which restriction does not apply
40	8706	Goods, other than chassis fitted with engines for motor vehicles having a gross vehicle weight of not more than 2.72 tonnes and classified under heading 8702, 8703 or 8704
41	8707	Goods, other than bodies (including cabs) for motor vehicles having a gross vehicle weight of not more than 2.72 tonnes and classified under heading 8702, 8703 or 8704
42	8708	Goods, other than parts and accessories for the original equipment manufacture of motor vehicles having a gross vehicle weight of not more than 2.72 tonnes
43	9113.10.00	Goods, other than: (a) goods consisting of, or incorporating, natural or cultured pearls, precious or semi-precious stones (whether natural, synthetic or reconstituted) (b) goods of leather or of composition leather
44	9113.90.00	
45	9401.30.00 to 9401.79.00 (inclusive)	Seats of stone, slate, cement, concrete, artificial stone, or of asbestos-cement, cellulose fibre-cement or the like
46	9401.80.00	
47	9401.90.90	Parts for seats of stone, slate, cement, concrete, artificial stone, or of asbestos-cement, cellulose fibre-cement or the like
48	9403	Furniture and parts thereof, of stone, slate, cement, concrete, artificial stone, or of asbestos-cement, cellulose fibre-cement or the like
49	9405.10.00	Goods, other than of ceramic
50	9405.20.00	Goods, other than of ceramic
51	9405.40.00	Goods, other than of ceramic
52	9405.50	Goods, other than of ceramic
53	9405.99.00	Parts, other than of ceramic
54	9616.20.00	Goods, other than goods of precious metal or metal clad with precious metal
55	9701.90.00	Goods, other than: (a) collages and similar decorative plaques made from goods classified under headings 0603 or 0604 (b) statuettes and other ornaments

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 1987.
2. Statutory Rules 1926 No. 203 as amended to date. For previous amendments see Note 2 to Statutory Rules 1987 No. 72 and see also Statutory Rules 1987 Nos. 72, 102, 103, 124, 140, 162 and

22 December

22/11 and 29/11

s47F

From: s47F
Sent: Thursday, 29 October 2009 11:55
To: s47F
Subject: FW: Tariff concession 0911062,0911060, [SEC=UNCLASSIFIED]
Attachments: image.tif; image.tif; image.tif; image.tif
Security Classification: UNCLASSIFIED

80

Hi s47F

Please see request below.

As discussed, could you please advise the regions of the decision by the policy department regarding light fittings that contain small parts made of ceramic.

Thanks,

s47F

Tariff Concessions
 Trade Services
 Australian Customs and
 Border Protection Service
 Tel (02) 6275 s47
 Email: s47F

From: s47F
Sent: Thursday, 29 October 2009 10:36
To: s47F
Subject: Tariff concession 0911062,0911060,

Dear s47F

We seek clarification of the meaning of the words "non-ceramic" used in tariff concession orders 0911062 and 0911060 which refer to certain types of light fittings.

The use of the wording non-ceramic in the mentioned tariff concessions does not appear to exclude light fitting which have small parts (plugs, connectors, lamp holders) made of ceramic but the guidance we have received in tariff advice applications 19540000, 19540400, 19540500, and 19540300 (copies attached) indicates that light fittings with small parts of ceramics are excluded from the concessions.

Your confirmation regarding the application of tariff concession orders 0911062 and 0911060 would be greatly appreciated.

Thanks again for your assistance.

Regards

s47F

s47G





Australian Government
Australian Customs Service

TAPIN

Tariff Advice Application Number 19540400

70

s47E(d), s47G(1)(b), s47F





Australian Government
Australian Customs Service

TAPIN

Tariff Advice Application Number 19540400

s47E(d), s47G(1)(b), s47F

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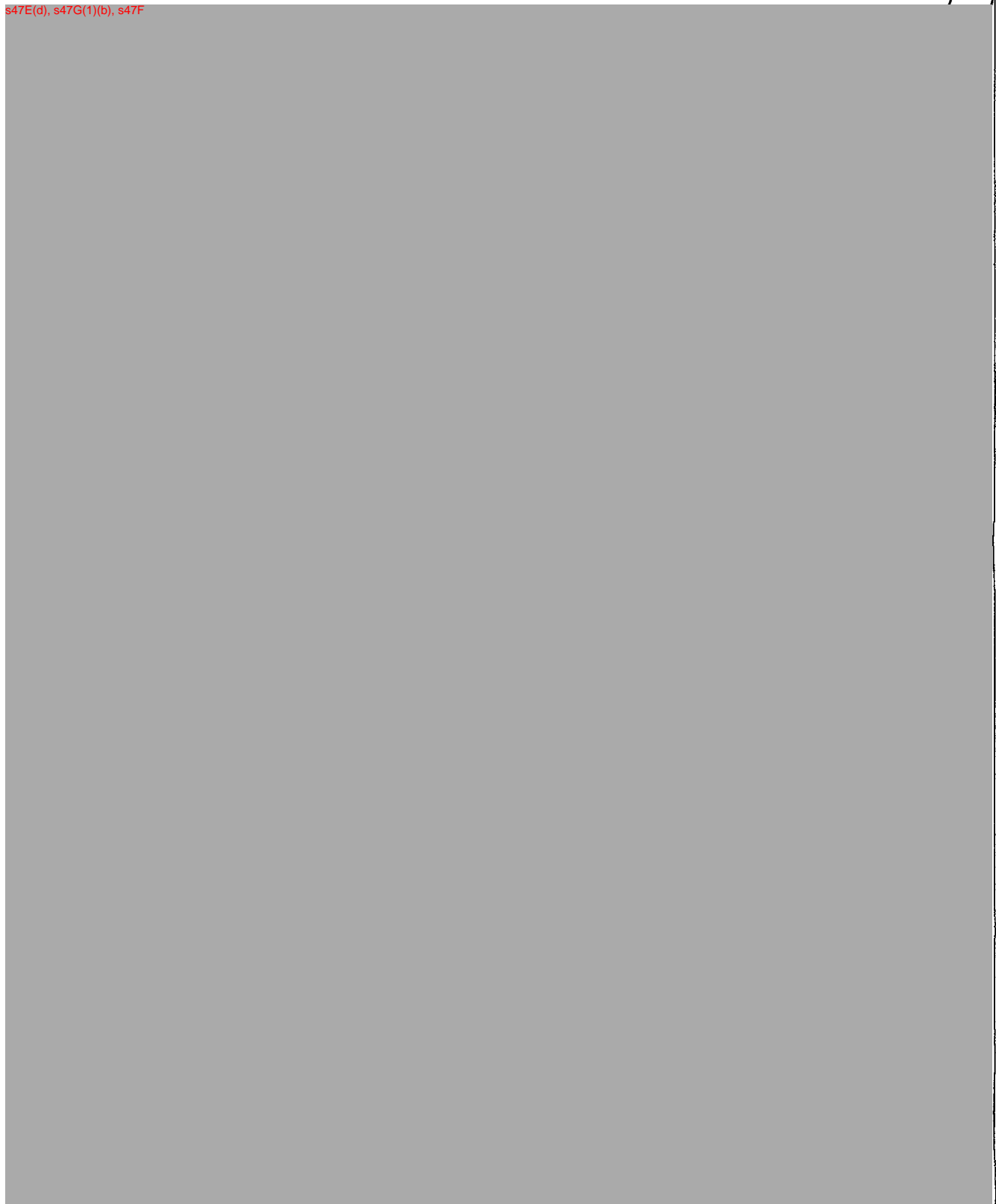
Australian Government
Australian Customs Service

TAPIN

Tariff Advice Application Number 19540500

77

s47E(d), s47G(1)(b), s47F





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TAPIN

Tariff Advice Application Number 19540500

76

s47E(d), s47G(1)(b), s47F





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TAPIN

Tariff Advice Application Number 19540300

75

s47E(d), s47G(1)(b), s47F





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TAPIN

Tariff Advice Application Number 19540300

74

s47E(d), s47G(1)(b), s47F





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TAPIN

Tariff Advice Application Number 19540000

73

s47E(d), s47G(1)(b), s47F





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TAPIN

Tariff Advice Application Number 19540000

72

s47E(d), s47G(1)(b), s47F



s47E(d), s47G(1)(b), s47F





Tariff Ref: 9405.10.00

Part 1 - Tariff Concessions

Description of Goods

Chapter: 94

FIXTURES, CEILING LIGHT, non ceramic, with or without EITHER of
the following:
(a) shades;
(b) globes

Op. 01/04/2009

Dec. date 19/06/2009

- TC 0911062 50

70



Australian Government
Australian Customs and
Border Protection Service

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Section:	Tariff Review
Phone:	02 6275 s47F
Fax:	02 6275 6471

69

From:	s47F
Section:	Tariff NSW
Phone:	02 8339 s47F
Fax:	02 8339 6711
Date:	29/10/09
Pages incl cover page:	9

s47F

Pictures of the light fittings as discussed for TAs 19540000, 0300, 0400 & 0500.

Regards

s47F

File Part #	2009/011062-01	ID #	2667690
File Title	Ceiling Light Fixture - 9405.40.00 - Mercator Lighting, Industry Schemes & Trade Measures - Tariff Concession Orders - TCO Applications		
Sec. Classification *	In-Confidence		
Caveats			
	<input checked="" type="checkbox"/> Physical File Part Required	<input checked="" type="checkbox"/> Physical File Part Created	
Description			
User Instructions	Call me on s47F when ready Please mark this file to ACT TCS		
Region	ACT	Australian Capital Territory	
File Type	CUSTOMS	Customs Files	
Created on	01/04/2009	Open status	Open
Created by	s47F	Open date	01/04/2009
Last edited	01/04/2009	Close date	
Status	Active	Availability	
Related	No	Disposal Freeze	No
Borrowed on		Borrowed by	
Home Location	ACT PA	Customs House Canberra	ACT
Barcode	2009/011062-01	Ext. Barcode	
Authority/Class	(Review 2 years after Creation Date)	Contents start date	
Accession #		Contents end date	
Event date		Event type	
Security			

60

Original applicant

s47F

TARIFF CONCESSION REVOCATION ORDER

Under Section 269SD(3) of the Customs Act 1901, I **s47F** a delegate of the Chief Executive Officer

- (a) revoke Tariff Concession Order Number 0911062 made on 19.06.09, in respect of the goods described in TABLE A below. This Revocation has effect from 09.11.09; and
- (b) make in its place the Tariff Concession Orders described in TABLE B. The goods specified in Column 1 of TABLE B are goods to which the item in Part III of Schedule 4 to the Customs Tariff Act 1995 specified in Column 2 of TABLE B applies. The Order shall have effect from the date notified in paragraph (a) above as the date of effect for the Revocation.

TABLE A

COLUMN 1		COLUMN 2
Description of Goods including the Customs Tariff Classification		Schedule 4 Item Number Last date of effect
9405.10.00	FIXTURES, CEILING LIGHT, non ceramic, with or without EITHER of the following: (a) shades; (b) globes Op. 01.04.09	50 09.11.09
		- TC 0911062

93

s47F

This is page 1 of 2 Pages of the instrument.

Dated 09 November 2009

.....
Delegate of the Chief Executive Officer

C

COLUMN 1
Description of Goods including the
Customs Tariff Classification

COLUMN 2
Schedule 4 Item Number
Last date of effect

9405.10.00 FIXTURES, CEILING LIGHT, non ceramic except for globe holder,
with or without EITHER of
the following:
 (a) shades;
 (b) globes

50

Op. 01.04.09

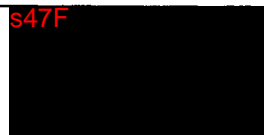
- TC 0941610

92

This is page 2 of 2 Pages of the instrument.

Dated 09 November 2009

s47F



.....
Chief Executive Officer

EXPLANATORY STATEMENT

Tariff Concessions Revocation Instrument 39/2012

Customs Act 1901

Background

Part XVA of the *Customs Act 1901* (the Act) sets out a scheme under which Tariff Concession Orders (TCOs) may be made and revoked by the Chief Executive Officer of Customs (the CEO). A free rate of customs duty applies to goods that are the subject of a TCO.

Under sections 269C and 269P of the Act, a TCO will be made if the application for the TCO meets the core criteria, that is, on the day on which the application was lodged, no substitutable goods were produced in Australia in the ordinary course of business.

Subsection 269SD(3) of the Act provides that if the CEO is satisfied that, in making a TCO, there has been a transcription error in the description of goods the subject of the TCO including the tariff classification that is stated in the TCO to apply to the goods, the CEO may:

- make an order revoking the TCO; and
- make a new TCO in respect of goods that corrects the error.

Instrument

Tariff Concessions Revocation Instrument No 39/2012 was made on 9 November 2009. It revokes TCO 0911062 and makes TCO 0941610 because of a transcription error.

Consultation

No consultation was undertaken since the change is of a minor or machinery nature and does not substantially alter existing arrangements.

Commencement

Subsection 269SD(3) provides that the order revoking the TCO has effect from the day on which the TCO came into force and the new TCO has effect from the revocation of the old TCO.

Subsection 269SD(6) provides that section 269SD has effect despite section 12 of the *Legislative Instruments Act 2003*. Section 12 prohibits the making of certain retrospective legislative instruments.

Tariff Concession Revocation Instrument No. 39/2012 revoked 0911062 and made new TCO 0941610 on 9 November 2009.

except for glove holders.

Whether or not
including ceramic globe
holders

94



Australian Government
Australian Customs and
Border Protection Service

Draft Precedent – Public Notification

Ref: 9405-1 TCO 0941610

Ceiling or wall light fittings and lamps

This draft precedent represents the Australian Customs and Border Protection Service view of the interpretation of this Tariff Concession Order (TCO).

Members of the public are invited to comment on this draft. A final version of this precedent will be issued after the assessment of any submissions.

Please provide any comments to tariff@customs.gov.au by COB on Thursday 13th March 2014.

Tariff Concession Order 0941610

Tariff Classification

9405.10.00

The goods must be classified to this subheading.

TCO Description

FIXTURES, CEILING LIGHT, non ceramic except for globe holder, with or without EITHER of the following:

- (a) shades;
- (b) globes

Note. There have been inconsistent interpretations of the requirements for eligibility of ceiling light fixtures for this TCO. This precedent is the considered opinion and policy of ACBPS and is issued to clarify this matter.

Interpretation

To be eligible for TCO 0941610, ceiling light fittings must have a ceramic globe holder and the remainder of the fitting must be non-ceramic. It may be imported with or without a shade or light bulbs.

Reason

The principle that in order to take advantage of a TCO, goods must precisely meet the criteria set out in the description has been established in the Administrative Appeals Tribunal. Consequently, goods must meet the words exactly as they stand.

Further, the wording of the TCO must be interpreted according to the ordinary principles of interpretation that require us to take the ordinary meaning of the words and expressions in their context. The wording must be read as a whole and in its context. Trade usage can be given priority but in this case it does not apply.

The description of TCO 0941610 is "FIXTURES, CEILING LIGHT, non ceramic except for globe holder, with or without EITHER of the following: (a) shades; (b) globes". That is, it describes ceiling light fixtures that consist of materials that are not ceramic, except for the globe holder. The description "non ceramic except for globe holder" plainly states that the light fittings have to be made of materials that are not ceramic, apart from the globe holder, which, as it is excluded from being non ceramic, must be ceramic. The wording cannot be read as "with or without a ceramic globe holder".

The following excerpt from the Oxford Dictionary of English (3 ed.) explains, with examples, the meaning of "except":

preposition not including; other than: *I was naked except for my socks | they work every day except Sunday.*

conjunction used before a statement that forms an exception to one just made: *I didn't tell him anything, except that I needed the money | our berets were the same except mine was blue. (archaic unless: she never offered advice, except it were asked of her.)*

verb [with *obj.*] *formal* specify as excluded from a category or group: *five classes of advertisement are excepted from control.*

ORIGIN late Middle English: from Latin *except-* 'taken out', from the verb *excipere*, from *ex-* 'out of' + *capere* 'take'.

As a result, the fixture must be of the type that has a globe holder and that globe holder must be ceramic. The rest of the fitting must not be ceramic.



Australian Government
Australian Customs Service

Reply to the Chief Executive Officer

Quote: TC 0906219
Your Ref: Mercator

Australian Customs Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601
Ph: (02) 6275 6404
Fax: (02) 6275 6376
Email: tarcon@customs.gov.au

25 February 2009

s47F

CONSOLIDATED CARGO AND CUSTOMS
PO BOX 223
FOOTSCRAY VIC 3011

Dear s47F,

TARIFF CONCESSION SYSTEM
APPLICATION ACKNOWLEDGEMENT

Your application for a Tariff Concession Order, details of which are shown below, was received in this office on 23 February 2009. The TC number TC 0906219 has been allocated to your application.

Date Received:	23 February 2009
Applicant:	MERCATOR LIGHTING PTY.LTD
Goods:	OUTDOOR LIGHTS
Applicant ABN/CAC	23005946958/001

Yours sincerely,

s47F

s47F

Senior Customs Officer
Tariff Concessions Section
Trade Services Branch
Australian Customs Service
Canberra ACT

s47F [redacted]

From: [redacted]
Sent: Monday, 23 February 2009 13:08
To: s47F [redacted]
Subject: RE: tariff concession application for mercator lighting [SEC=UNCLASSIFIED]

Security Classification: UNCLASSIFIED

Hello s47F [redacted]

We have received 5 your TCO Applications on behalf of Mercator Lighting

The receipt date is the 23rd of February 2009

An acknowledgement will follow via the mail at a later date

Regards

s47F [redacted]

Senior Customs Officer
Tariff Concessions Section
Trade Services Branch
Australian Customs Service
Canberra ACT

Ph 02 6275 s47F [redacted]
Fax 02 6275 6376

-----Original Message-----

From: s47F [redacted]
Sent: Monday, 23 February 2009 12:56
To: TARCON
Cc: s47F [redacted]
Subject: FW:tariff concession application for mercator lighting

Good afternoon s47F [redacted]
Please find attached companies that we found via the internet that are not Australian producers of light fittings 12 pages Also s47F [redacted] I will send later today or tomorrow the pictures of flood lights, and lamps touch.

Rgds

s47F [redacted]

s47F [redacted]

Consolidated Cargo & Customs Pty/Ltd
Suite 101, 416 Mt.Alexander Road
Ascot Vale, Victoria 3032

webb-site: www.concargo.com.au
e-mail: s47F [redacted]
ph: 03 9373 s47F [redacted]
fax: 03 9326-2600

-----Original Message-----

From: s47F [redacted]
Sent: Monday, 23 February 2009 12:50 PM
To: s47F [redacted]
Subject:

This E-mail was sent from "RNPC25519" (MP 3500/LD335).

Scan Date: 23.02.2009 11:49:49 (+1000)
Queries to: s47F [redacted]

09/06219 EMAIL 25

s47G

From: s47G
Sent: Monday, 23 February 2009 11:46
To: TARCON
Subject: FW:tarif concession application

Attachments: 20090223102858566.pdf



20090223102858566.pdf (2 MB)

Good morning all
Please find attached T.C.O. application 12 pages Rgds s47F

s47F

Consolidated Cargo & Customs Pty/Ltd
Suite 101, 416 Mt.Alexander Road
Ascot Vale, Victoria 3032

webb-site: www.concargocargo.com.au
e-mail: s47F
ph: 03 9373-s47F
fax: 03 9326-2600

-----Original Message-----

From: s47F
Sent: Monday, 23 February 2009 11:29 AM
To: s47F
Subject:

This E-mail was sent from "RNPC25519" (MP 3500/LD335).

Scan Date: 23.02.2009 10:28:58 (+1000)
Queries to: s47F

24

ENERGY EFFICIENT

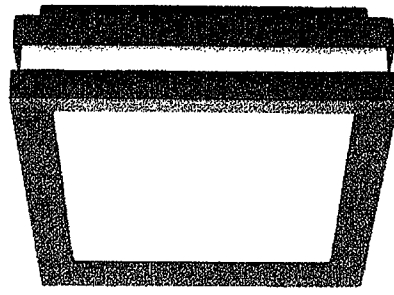
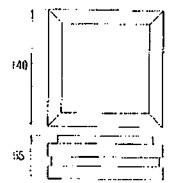
Document #8
OUTDOOR

DENZEL MX1811-IP54

Max 9W



Black Silver

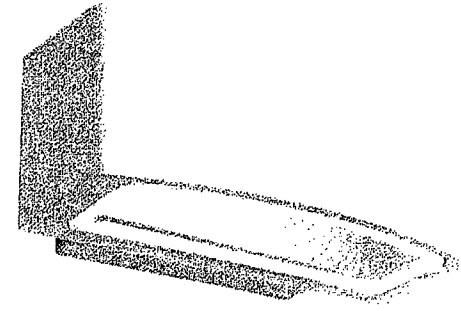


SCOUT MX6811-IP54

Max 26W



Black Silver

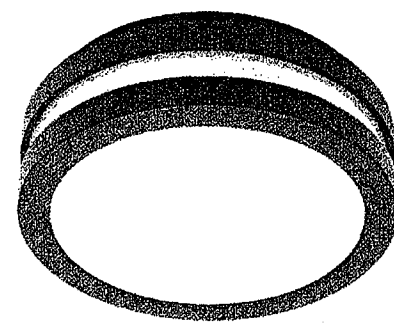
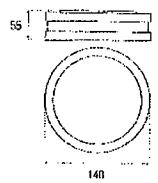


TYLER MX1711-IP54

Max 9W



Black



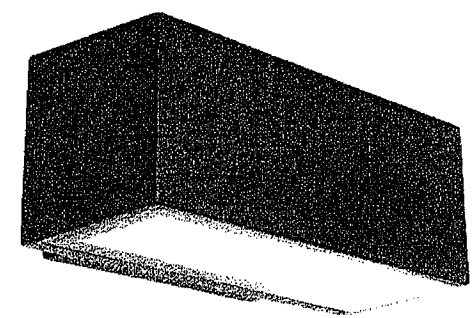
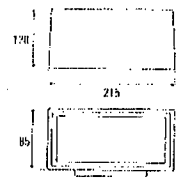
TYLER MX1721



TYLER MX1701

CLINY M.

Max 26W



23

OUTDOOR

ENERGY EFFICIENT

ENERGY EFFICIENT

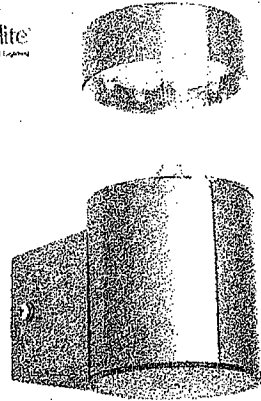
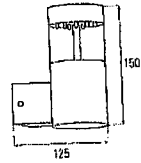
Document #8 OUTDOOR

TROPICA MX2311-IP44

Max 12x0.1W LED



316 Stainless Steel

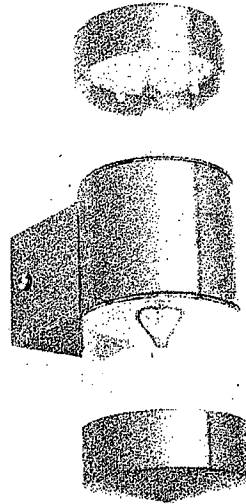
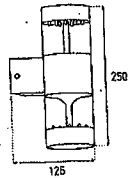


TROPICA MX2312-IP44

Max 24x0.1W LED



316 Stainless Steel

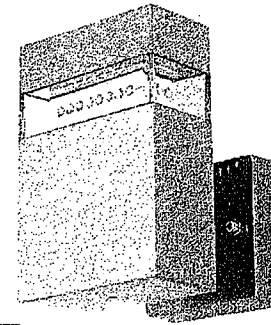
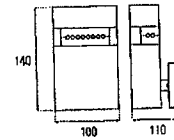


ROMSEY MX3711-IP44

Max 20x0.1W LED



202 Stainless Steel

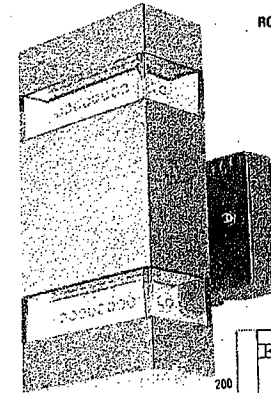
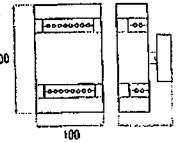


ROMSEY MX3712-IP44

Max 40x0.1W LED



202 Stainless Steel

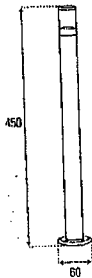


TROPICA MX2390-IP44

Max 12x0.1W LED



316 Stainless Steel

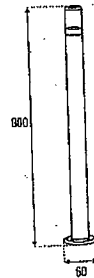


TROPICA MX2391-IP44

Max 12x0.1W LED



316 Stainless Steel

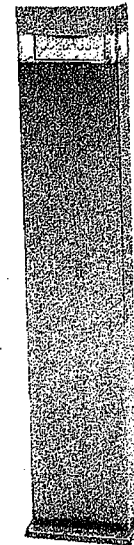
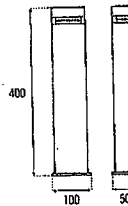


ROMSEY MX3790-IP44

Max 20x0.1W LED



202 Stainless Steel

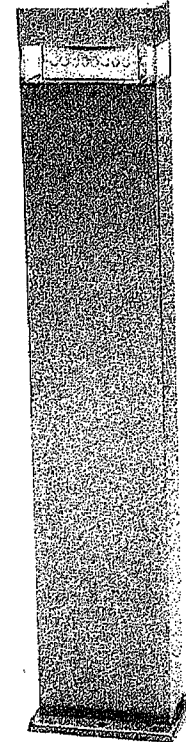
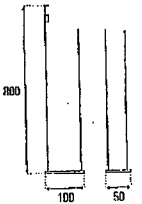


ROMSEY I

Max 20x0.1



202 S



OUTDOOR

ENERGY EFFICIENT

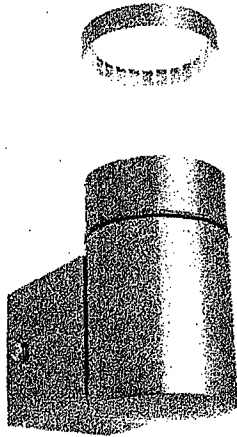
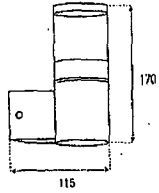
ENERGY EFFICIENT

OUTDOOR

VERMONT MX2011-IP44

Max 12x0.1W LED

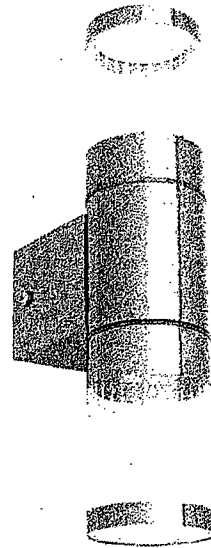
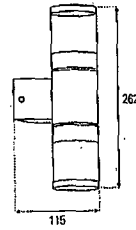
316 Stainless Steel



VERMONT MX2012-IP44

Max 24x0.1W LED

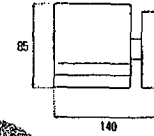
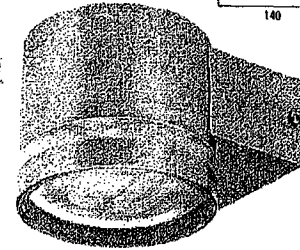
316 Stainless Steel



ELBA MX1911-IP44

Max 9W LED

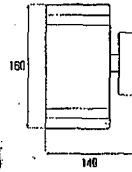
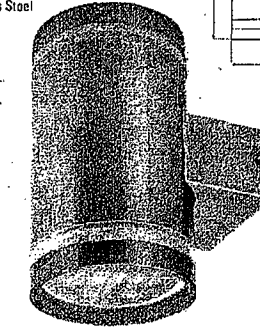
316 Stainless Steel



ELBA MX1912-IP44

Max 2x9W LED

316 Stainless Steel



VERMONT MX2090-IP44

Max 12x0.1W LED

316 Stainless Steel



VERMONT MX2091-IP44

Max 12x0.1W LED

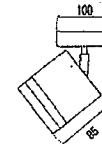
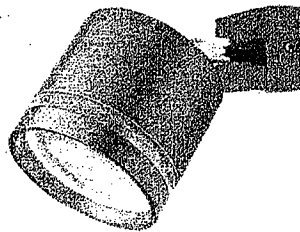
316 Stainless Steel



ELBA MX1951-IP44

Max 9W LED

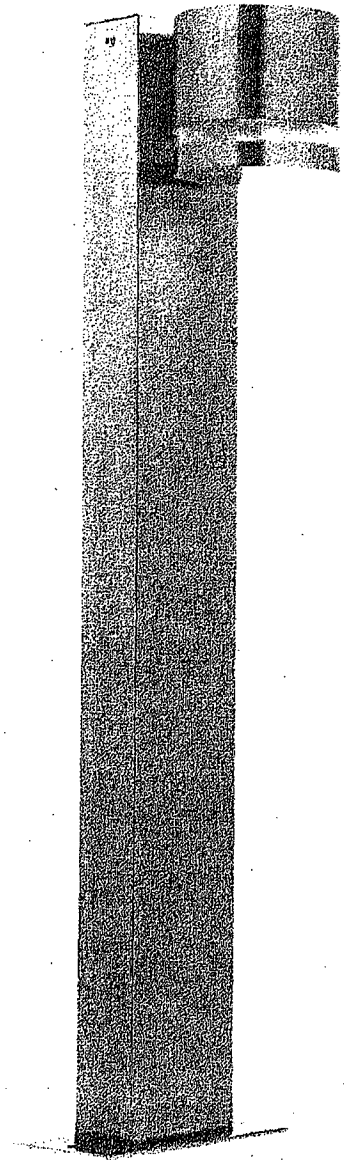
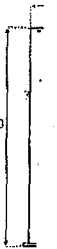
316 Stainless Steel



ELBA MX1991L-IP44

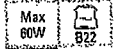
Max 9W LED

316 Stainless Steel

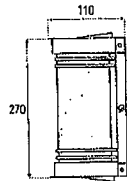


2

TEKNIK MX9811-IP44



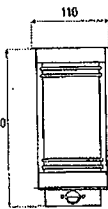
304 Stainless Steel



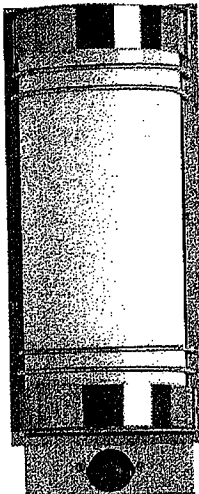
TEKNIK MX9811/SEN-IP44



304 Stainless Steel



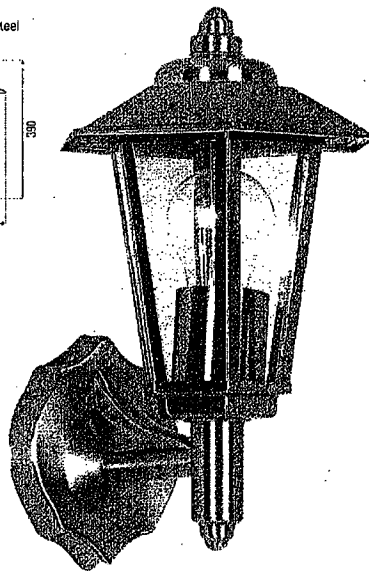
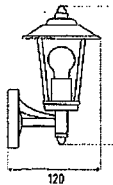
With Motion Sensor



TORQUAY MX9711-IP44



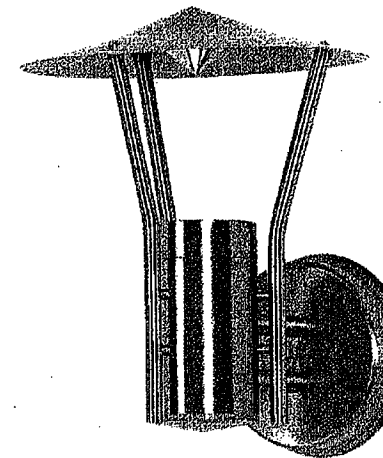
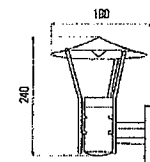
304 Stainless Steel



BONDI MX6811-IP44



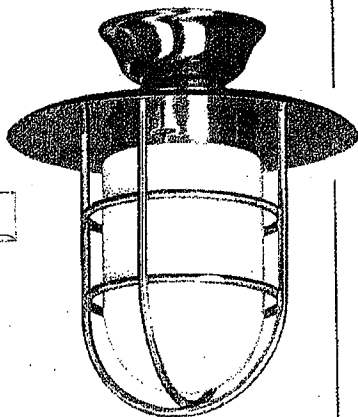
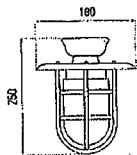
304 Stainless Steel



71-IP44



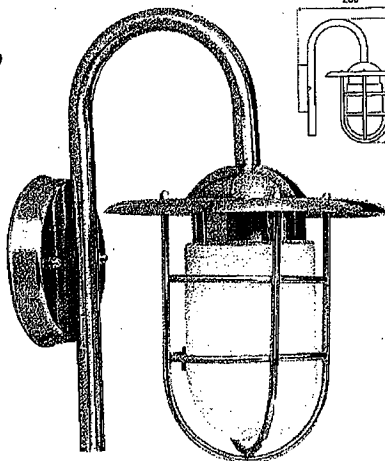
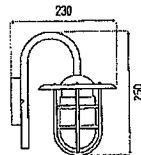
Steel



LUME MX9611-IP44



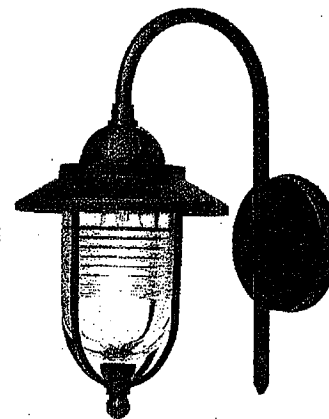
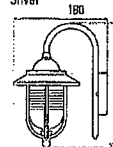
304 Stainless Steel



HUNT MX2411-IP54



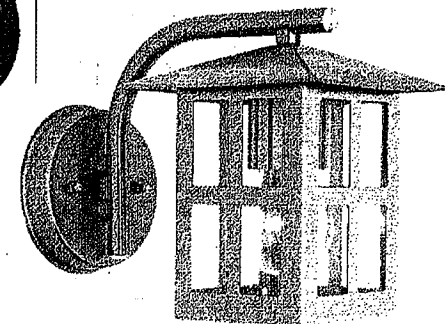
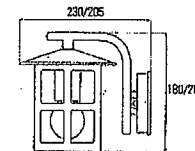
Beige
Black
Silver



CHARLIE MX9111SS
MX9121SS



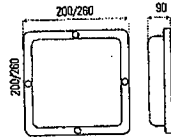
316 Stainless Steel



SHORE MX8405S
MX8405L

Max 75W E27

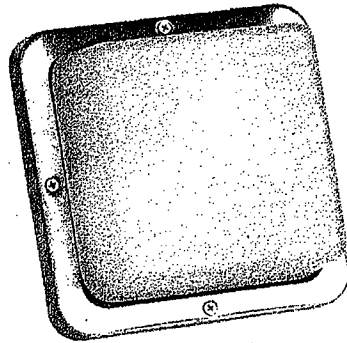
304 Stainless Steel



SHORE MX8505S
MX8505L

Max 75W E27

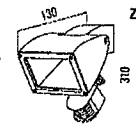
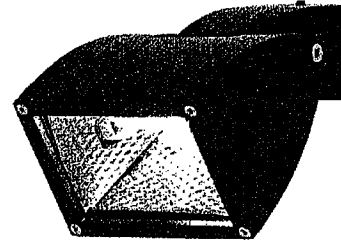
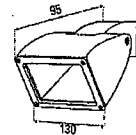
304 Stainless Steel



- Beige
- Silver
- Black
- White
- Brushed Chrome

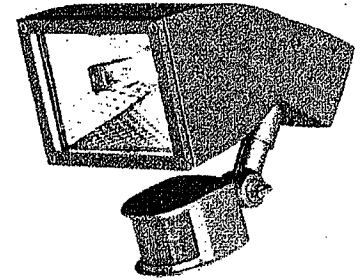
ZONE MX7751-IP54

Max 150W Halogen R7s (short)



With Motion Sensor

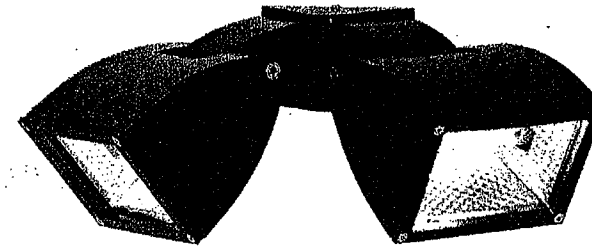
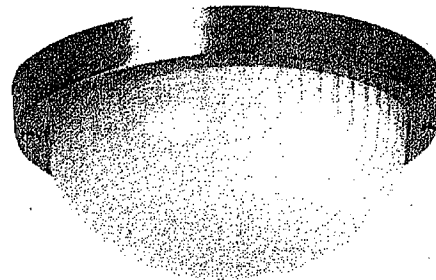
ZONE MX7751-IP54
Max 150W Halogen R7s (short)



FORTE MX8605S-IP54
MX8605L-IP54

Max 60W E27

304 Stainless Steel



ZONE MX7752-1

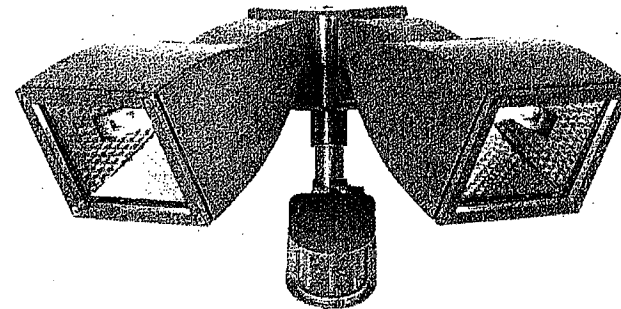
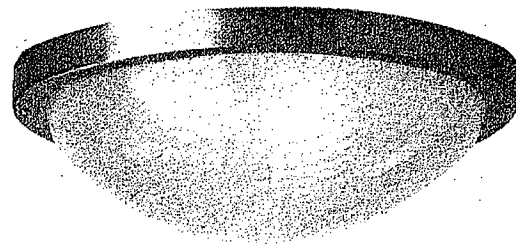
Max 2x150W Halogen R7s (short)



FORTE MX8705S-IP54
MX8705L-IP54

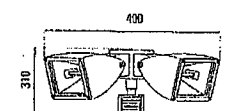
Max 60W E27

304 Stainless Steel



ZONE MX7752-IP54

Max 2x150W Halogen R7s (short)



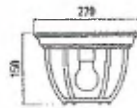
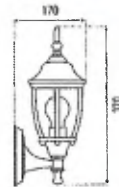
OUTDOOR

OUTDOOR

DAKOTA MX4811-IP44



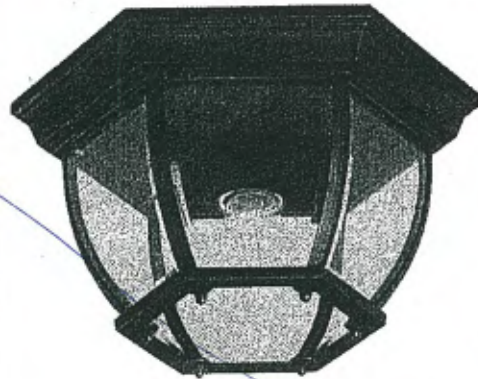
Beige
Black
Silver
Green



DAKOTA MX4871-IP44



Beige
Black
Green



EDEN MX5681-IP44



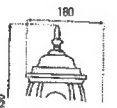
Black



MORGAN MX5011-IP44



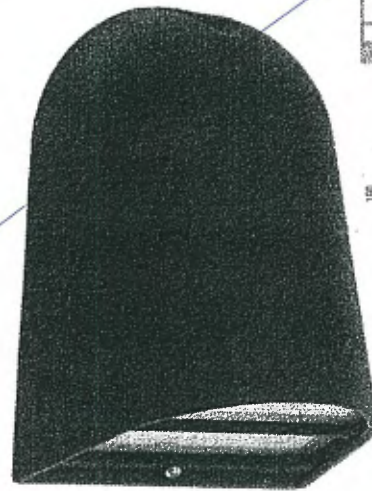
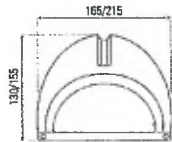
Beige
Black
Burgundy
Green



DOMAIN MX5321-IP44
MX5311-IP44



Beige
Black
Silver
White



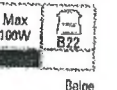
PARK MX5411-IP44



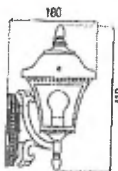
Beige
Black
Silver
White



EDEN MX5611-IP44



Beige
Black



500 f31 - not included

see f31 - not included

OUTDOOR

YARRA MX7311-IP44

Max 100W E27

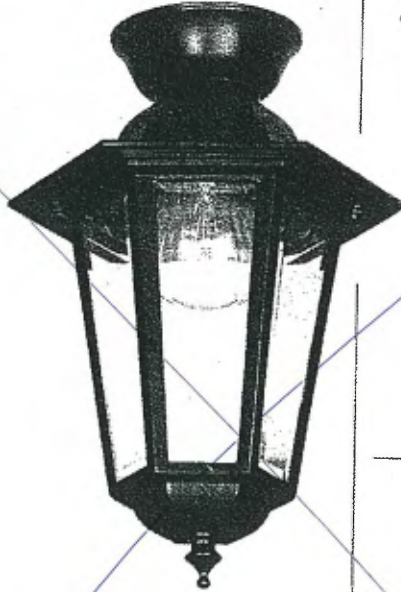
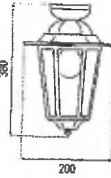
Beige Black



TILBURY MX4071-IP44

Max 60W E27 DIY

Beige Black Burgundy Green White



TILBURY MX4011-IP44

Max 100W E27

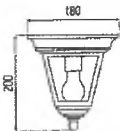
Beige Black Burgundy Green White



CARDIFF MX2871-IP44

Max 60W E27 DIY

Beige Black



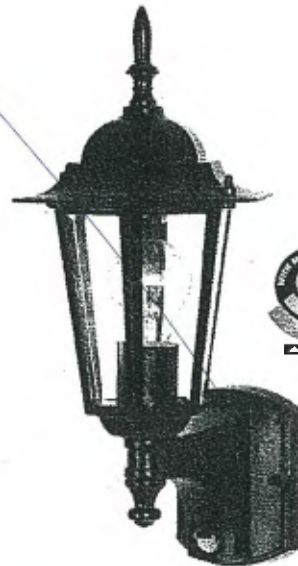
TILBURY MX4011/SEN-IP44

Max 100W E27

Beige Black

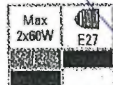


← Sensor included

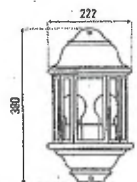


MERCATOR

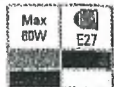
NEPEAN MX5212-IP33



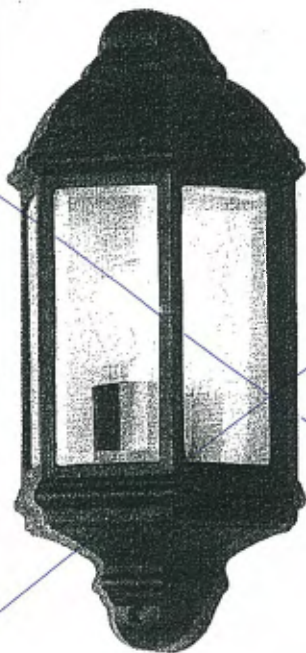
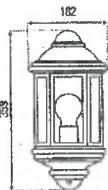
Green
Black
Burgundy
Beige



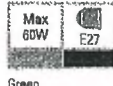
NEPEAN MX5211-IP33



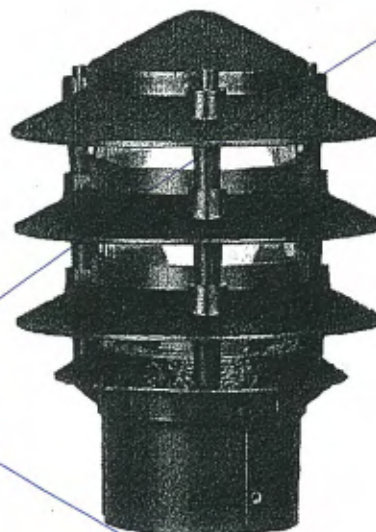
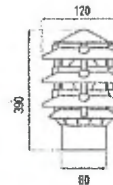
Green
Black
Burgundy
Beige



PAGODA MXB1-IP44



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Black



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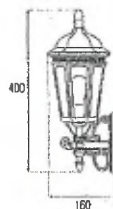
Beige
Black



MELROSE MX7411-IP44



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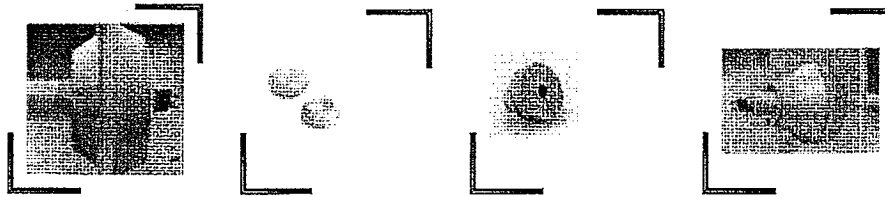
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Ampere manufactures and/or sells a wide range of electrical accessories. These electrical accessories are mainly targeted at the electrician seeking electrical fittings chosen for Australian conditions.

Wholly Australian owned and making quality electrical accessories since 1947, Ampere electrical contractor supplies are available from the majority of electrical wholesaler outlets in Australia. Ampere distributes electrical contractor supplies in each Australian state or territory through a network of their own warehouses or through selected agents.

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The electrical accessory & fittings range includes:

- Lighting Products that include battenholders and lampholders.
- Cable holding and protection products that include plastic conduit bushes and stops and nylon cable glands.
- Connectors including strip connectors, single screw connectors and double screw connectors.
- Cable and conduit securing products including Quikclip™ plastic cable clips and "Suregrip" metal half saddles.
- Installation tools and accessories including jack chain and pull through springs.
- Petzl head torches including the Tikkina and Tikka XP.
- Hollow wall fasteners including Anka plugs and Wall loks.
- Self-drilling screws in a variety of packs and sizes.
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- Conduit plastic fittings including junction boxes and couplings.
- PVC Insulation Tape Duct Tape and Self Fusing Tapes.
- P&N cutting tools, drills, holesaws, spade bits and auger bits.
- Safety equipment including safety spectacles.

In addition to the range of electrical products for the electrical contractor Ampere have a range of products designed to supply Original Equipment Manufacturers especially lighting manufacturers. Lighting equipment manufacturers or other OEM's are invited to contact either the Ampere HO or the rep in their area for further information about electrical accessories designed specifically for their industries.

Electricians when calling at their wholesalers should specify Ampere electrical contractor supplies for great value products made/distributed by a wholly owned Australian company with a reputation for quality and value.

Our range of electrical accessories is constantly being upgraded and expanded. We attempt to upgrade this website every 3 to 4 months with releases of new electrical contractor supplies being shown on a separate "New Product" page. Click here to go to our New Products page & to view our Featured

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Energy Efficient Lighting

At The Environment Shop, we specialise in Energy Efficient Lighting. We stock a wide range of lamps and fittings for home, garden, office and retail and can source almost anything you can imagine. We have energy efficient alternatives for standard light globes, halogen downlights, outdoor lighting, garden lighting, older fluoro lamps and fittings including ballasts, industrial and factory lighting including mercury vapour alternatives, office lighting, display lighting and other specialist and detailed lighting challenges.

Our knowledgeable staff can advise you on the options available to replace your current inefficient lighting, or help you with a lighting plan for your new home, extension or renovation, ensuring you the lowest running costs and lighting that is beautiful as well as practical.

Lighting Design

We offer a lighting design service for new buildings and renovations. Call us to organise an appointment, then bring in your house plans and ideas and we will talk through them and come up with a lighting solution that is practical, beautiful and most importantly, efficient. Shortly after the meeting we will email you a formal copy of the lighting plan. Typical pricing for a family home is \$250, which also entitles you to a discount on light fittings bought through us.

Lighting Efficiency

The amount of energy used by lighting in Australian households is increasing, mainly due to larger house sizes and the proliferation of halogen downlights. It is possible to decrease the amount of energy used by your lights by up to 80% without affecting your light levels or quality. In fact many energy efficient lights provide better light coverage and quality than traditional lights.

Energy efficient lighting does not mean lower quality or less options. In fact, with modern technology such as LEDs, CFLs, micro fluoros such as the Megaman range and cold cathode fluorescent lamps, it is possible to light your home, garage, driveway, garden, shack, factory or shop in ways that we could only dream about in the past. Their low power consumption, lower operating temperatures, long operating life and versatile size and packaging means you can fit energy efficient lamps just about anywhere you need light, for practical purposes or for decoration. Low energy consumption also means it is much more viable to power lighting from renewable sources such as solar electricity, especially in areas that have no power available, such as sheds, gardens and remote areas.

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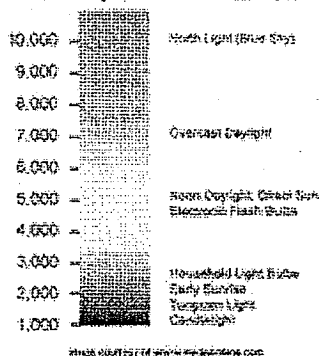
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FIRSTLY, SOME IMPORTANT DEFINITIONS

Colour Temperatures in the Kelvin Scale



Watts – the wattage of a lamp indicates the rate at which it consumes electricity. A 12V lamp does not necessarily use less power than a 240V lamp, you have to compare the watts. E.g. a standard 12 Volt halogen lamp is 50 Watts, four of these in a room equals 200 Watts, not including losses in the transformers.

Lumens – are a measure of the luminous flux, basically the amount of light output by a lamp. You can directly compare the brightness of different types of lamps by comparing their output in lumens and you can get a good idea of the efficiency of a lamp by looking at the lumens/watt.

Colour Temperature – is an indicator of the colour of the white light emitted by a lamp. Incandescent lamps are usually very warm, with a slight yellow/orange tint to the light. Older style fluorescent lamps tended to be very cool with a bluish tinge that is very practical to work by not very

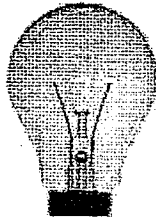
flattering. Modern cool white fluoros are a nicer shade and are excellent for detailed work and high visibility. Modern fluoro lamps come in a range of colour temperatures. Warm white is best for living areas, cool white is best for work areas such as kitchens. Colour temperature is measured in Degrees Kelvin. Warm white is typically 3500k or less, cool white is 4000k-6500k and daylight is 6500k+

TYPES OF LAMPS AND THEIR ALTERNATIVES

INCANDESCENT LAMPS

Incandescent lamps or bulbs are the most commonly used type of lighting. They include the standard everyday light bulbs and halogen downlights. They are typically inexpensive to buy but their lifetime running costs are high.

An incandescent lamp works by running electricity through a piece of wire known as the filament until it heats up enough to emit light, literally glowing white hot. This means that a lot of the energy used is lost as heat rather than light, which is both inefficient and dangerous, with halogen downlights responsible for many house fires.



Standard light bulbs typically only last about a thousand hours and must be regularly replaced, which can be very costly, dangerous or just outright annoying in difficult situations such as high ceilings.

Incandescent lamps are most suitable for areas where lighting is used infrequently and for short periods, such as laundries and toilets and also harsh environments such as inside fridges and ovens. Even though they are inefficient users of energy, incandescent lamps can still be the most suitable choice for certain situations.

COMPACT FLUORESCENT LAMPS

The best alternative to the standard lightbulb in most situations is the compact fluorescent lamp, or CFL. First invented during the oil crisis of the 1970s, they have become commonly available in the last few years and provide very good quality light with up to 80% less energy use than an equivalent incandescent light bulb.

Most of our Compact Fluoro Lamps use spiral tubes, which provide a better distribution of light and are more compact and better looking than the more common linear tube lamps.



CFLs work by creating an arc that causes a phosphor on the inside of the tube to glow. There is some circuitry inside the base that controls the arc and stops the lamp flickering at switch on like in older fluoro lamps.

The main issue with compact fluorescents is the large amount of energy and materials that goes into manufacturing a lamp compared to an incandescent. This is known as embodied energy. The much longer typical lifetime of a CFL means that the greater embodied energy is more than made up for by the energy saved during use. The problem appears when the lamp doesn't last as long as it should.

The answer to this is to buy a good quality CFL and make sure it is used appropriately. CFLs don't like electronic switches such as sensor lights and most are not compatible with dimmers. We have high quality Dimmable CFLs available.

HALOGEN LAMPS

Halogen downlights have become very popular over recent years. They are usually low voltage systems, which many people have interpreted as low power. This is not true.



and add up the watts!

Because of the directional nature of the halogen downlights, more fittings are needed to light up a room compared to traditional light globe batten fittings. Typical downlights use a 50watt lamp and a transformer that can use as much as 10-15 watts more, for a total of up to 65 watts per fitting. With 6 fittings per room, this can add up to 390 watts. The same amount of light can be provided by two 20 watt CFL lamps in batten fittings. Count the number of halogen downlights in your house

Halogens are also a fire hazard. The filaments in halogen lamps rise to about 2500°C and the bulb wall is about 500°C. We have measured the external temperature of our display halogen lamps at over 200°C in open air. The temperature at which paper will ignite without a spark or flame is around 230°C. This means that if insulation is pushed against the lamp fitting or rodents drag nesting materials around in your roof a fire can very easily occur.

We highly recommend products such as the Isolite downlight cover and the TENMAT Fire-rated downlight covers to protect your downlights. These products will also make your home more efficient by stopping the thermal chimney effect, caused by the hot air being drawn through the lamp fitting and into the roof space.

If you are renovating or designing a new home we highly recommend you do not install downlights, there are better ways of lighting a room. However, many people already have many downlight fittings in their home, or simply prefer the appearance.

We offer several efficient downlight alternatives.

HIGH EFFICIENCY AND LOW WATTAGE HALOGEN LAMPS



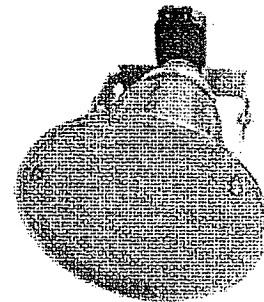
The simplest alternative is to replace your existing halogen lamps with

the more efficient IRC lamps. They are identical to standard halogens, except that the bulb has an Infra Red Coating which reflects some of the heat back into the filament. As a result a 35 watt lamp can produce as much light as a 50 watt lamp. Lamp life is also extended to 4,000 hours. These lamps will save up to 30% of energy compared to a standard halogen.

It is also worth considering replacing some of your lamps with a lower wattage where light levels are too high. E.g. Replace a 50w standard halogen with a 20w IRC halogen. This option is ideal for renters and others who cant afford or may not want to change their light fittings. However, the fire hazard still remains and much greater energy savings can be made with other options.

CFL DOWNLIGHT FITTINGS

The best alternative we have found for replacing standard 50W halogen downlights is a 15W Compact Fluoro lamp in a fitting specially designed for CFLs. Dont try putting CFLs into fittings designed for incandescent lamps, the reflector needs to be different to efficiently get the light out. We have a range of downlight fittings designed specifically for CFLs available in different sizes, shapes and finishes. You can see them here.



MICRO FLUOROS



The Maximum Wattage is 11w
 The Maximum Life is 10,000 hours
 The Base is GU10
 Compact Fluorescent Lamp
 Maximum Wattage: 11w
 Maximum Life: 10,000 hours

Micro Fluoro Lamp
 The Maximum Wattage is 11w
 The Maximum Life is 10,000 hours

Micro Fluoro Lamps use the same technology as Compact Fluoro Lamps but in a smaller package, designed to fit into a standard downlight lampholder. Most use the 240V GU10 two pin fitting the same as 240V halogen lamps. This means that you can directly replace any 240V halogens you have, but you will have to remove the transformer and add a GU10 adaptor to your existing fittings if you are replacing 12v halogens. As this is fixed wiring it requires a licensed electrician, but it is a simple job and shouldnt take them long.

The compact size means that the maximum wattage we have available at the moment is 11w, roughly equivalent to a 50w halogen. However the light quality is a little different. Halogen downlights tend to throw a very directed beam of light that is tightly focussed in the centre, while fluoro lamps tend to spread the light very evenly across a wide angle. An 11w micro fluoro lamp emits the same amount of light as a 50w halogen, however the light is spread more evenly and there are no bright spots to grab the eyes attention. This means that we perceive the light levels as being slightly lower than with halogens. If you want the same perceived light levels, you will need to install additional light fittings.

LEDs

LEDs or Light Emitting Diodes are semiconductor devices which emit light. They can potentially have a very long life (100,000 hours), offer reasonably high efficiencies and are compact, very rugged and highly controllable for both colour and brightness.

Currently, LEDs tend to be very focussed light sources and there are limitations on the power output levels, so they are not very practical for room lighting. (Yet!) However, they are ideal for display and task lighting, where the object to be lit is close to the light source. They make excellent workbench lamps in a kitchen or workshop and are ideal for lighting up works of art.

The range of fittings, colours and brightness levels available mean that LEDs have amazing potential for decorative lighting, whether in your garden, in a shop, around the house, for art or on your christmas tree.

Technology is moving very rapidly in this area, so it is hard for us to keep the website up to date. Please call or email us if you are interested in using LEDs, we can source a very wide range and always have several types in stock and on display.

SOLAR BUD LIGHTING

Recent technological advances have made it possible to use Solar Powered LED (Light Emitting Diodes) lights for exterior decorative lighting. The result is much lower power consumption, longer life and when powered with solar panels, zero green house gas emissions. The use of solar power also means total flexibility in locating the lights, as no 240-volt power is required.

Solar Bud Lighting (Solar Fairy Lights/Solar Christmas Lights) can add magical sparkle to trees and buildings in public places. However of all the forms of public lighting it is by far the most energy inefficient. Those little glowing bulbs are designed for long life rather than efficiency. They are very wasteful, producing much more heat than light. In fact, conventional bud lighting produces 2 or 3 lumens per watt compared to about 15 lumens per watt for standard incandescent lamps.

Advantages

- Uses less energy. Can be as low as 5% of conventional bud lighting.
- No greenhouse gas emissions when run by solar power.
- Light can go anywhere. No 240 Volt power is required, so the light can go in the middle of parks, on buildings, anywhere.
- These *LED lights* can still be used where 240 Volt power is available, but have the major advantages of dramatically improved energy savings and long life.
- Last longer. *LED Lights* can last from 50,000 to 100,000 hours.
- The white *LED Lights* create clean attractive light similar to starlight.
- Flexibility, the lights can be used on trees, to profile buildings or provide lighting effects with flashing, pulsing or fading lights of any colour.

The Environment Shop supplies a range of systems from simple domestic sets for under \$50 to large tree lighting systems costing thousands of dollars. Please note the larger tree systems are built to order. Prices are indicative only and would have to be confirmed with a quotation. The Environment Shop can also offer a full installation service of both the solar and LED light components.

Medium Tree LED Light Kit (No Solar)

This system consists of 5, 5 metre strings of lights with a controller and cables. It can be used as an energy saving alternative when 240 volts is available. This price does not include installation.
approx \$450

Large Tree LED Light Kit (No Solar)

This system consists of 15, 5 metre strings of lights with a controller and cables. It can be used as an energy saving alternative when 240 volts is available. This price does not include installation.
approx \$1,200

Medium Tree LED Solar Light Kit

This system consists of photovoltaic solar panel, battery pack, controller, lighting regulator, weatherproof box, distribution box and 5, 5 metre strings of lights with cables. It can be used in any location. This price does not include installation.
approx \$1,600

Large Tree LED Solar Light Kit

This system consists of photovoltaic solar panel, battery pack, controller, lighting regulator, weatherproof box, distribution box and 15, 5 metre strings of lights with cables. It can be used in any location. This price does not include installation.
approx \$2,500



Building LED Solar Light Kit

This system is specifically designed to be used in architectural applications. It could be used on a building to outline its shape, to provide a colourful display, to spell out a message or any other applications. It consists of a photovoltaic solar panel, battery pack, controller, lighting regulator, weatherproof box, distribution box and 50 metres of lights with cables. It can be used in any location. This price does not include installation. Smaller and larger kits are available.
approx \$2,000

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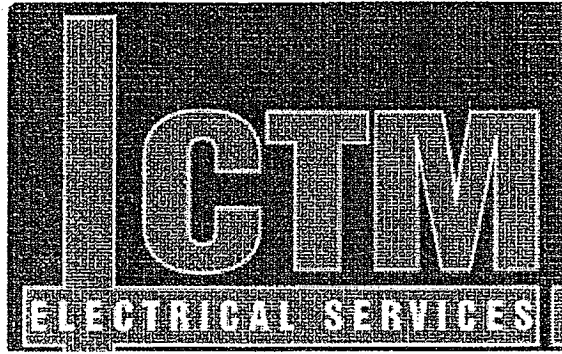
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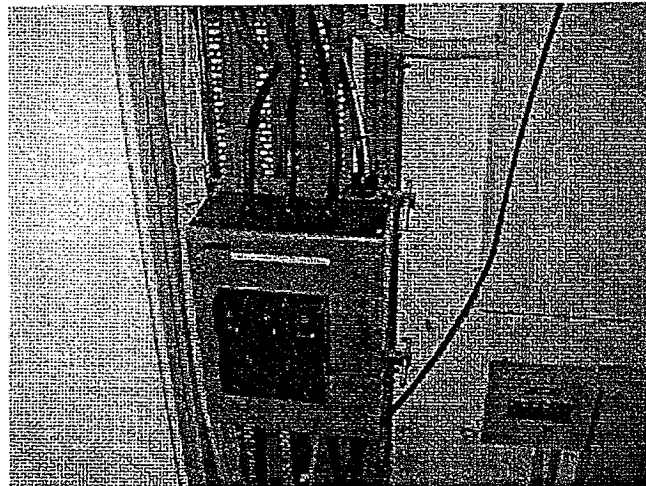
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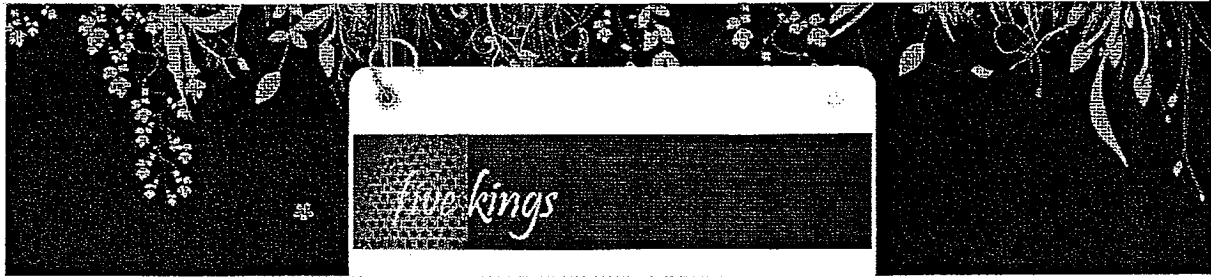


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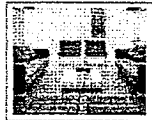
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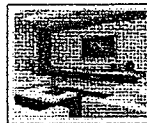
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APPLICATION FOR A TARIFF CONCESSION ORDER (TCO)

The form should be read carefully before being completed

- (a) Before lodging an application for a TCO, the applicant should determine whether a suitable TCO already exists. Information on existing TCOs is contained in the schedule of Concessional Instruments (SCI), a copy of which is available at each Regional Office of Customs. A TCO can be used by any importer.
- (b) An application will be date stamped on the day it is first received in Canberra by an officer of Customs. Receipt of an application will be acknowledged. Any resultant TCO will operate from the date of receipt. Instructions on how to lodge this form are provided at the end of this form.
- (c) Where an application is accepted as being a valid application, the identity of the applicant and of the importer for whom the applicant is acting will be published in the *Gazette*.
- (d) Section 269F of the *Customs Act 1901* requires that a TCO application to be in writing, be in an "approved form", contain such information as the form requires, and be signed in the manner indicated in the form. **This is the approved form for the purposes of that section.**
- (e) Section 269FA of the *Customs Act 1901* states "It is the responsibility of an applicant for a TCO to establish, to the satisfaction of the Chief Executive Officer (CEO), that, on the basis of:
 - (i) all information that the applicant has, or can reasonably be expected to have; and
 - (ii) all inquiries that the applicant has made, or can reasonably be expected to make;
 there are reasonable grounds for asserting that the application meets the core criteria". The application is taken to meet the core criteria if, on the day of lodgement of the application, no substitutable goods were produced in Australia in the ordinary course of business.
- (f) Every question on the form must be answered. Failure to supply the information required by this form will result in rejection of the application (and in the loss of operative date).
- (g) Where the form provides insufficient space to answer a question, an answer may be provided in an attachment. The attachment should clearly identify the question to which it relates.
- (h) All information about inquiries into the production of substitutable goods must relate to the date the application is lodged with Customs.
- (i) Customs may require an applicant to substantiate, with documentary evidence, any information provided in the application form.
- (j) Further information on the Tariff Concession System is available in Part XVA of the *Customs Act 1901*, in the foreword to the Schedule of Concessional Instruments, in the administrative guidelines in Volume 13 of the Australian Customs Service Manual, in Australian Customs Notice No. 98/19, on the internet at www.customs.gov.au, by e-mailing information@customs.gov.au or by phoning the Customs Information Centre 1300 363 263.

APPLICANT DETAILS (An agent/broker should provide details on the next page)

Applicant's Name Mercator Lighting		Australian Business Number (A.B.N.) 2300 59469 58
Postal Address P.O. Box 66. Dallas. Victoria 3047.		
Applicant's Reference Mercator	Owner Code (if applicable) 2300 59469 58	
Company Contact S47F	Position Held S47F	
Telephone Number 039302 S47F	Facsimile Number 039302 6262	E-mail Address

If you do not intend to use the TCO to import into Australia the goods the subject of the application, you must provide, in the section below, the identity of the importer for whom you are acting (refer to paragraph 269F(3)(c) of the *Customs Act 1901*).

IMPORTER DETAILS

Importer's Name (if same as applicant, write "as above") AS ABOVE		A.B.N.
Postal Address		
Importer's Reference	Owner Code 23-FEB '05 12:51	
Company Contact	Position Held	
Telephone Number	Facsimile Number	

3

AGENT/BROKER DETAILS (if applicable)

Agent's Name Consolidated Cargo & Customs		A.B.N. 48758123229
Postal Address P.O. Box 223, Footscray, Victoria 3011		
Agent's Reference Mercator	Agency Contact [REDACTED]	
Telephone Number 039373 [REDACTED]	Facsimile Number 0393262600	E-mail Address [REDACTED]

DESCRIPTION OF GOODS

- (a) The description of the goods in the application will be used as the description of the goods in the TCO (if made).
- (b) The application should provide a full description of the goods, including the physical features of the goods or the various components of the goods. It should not describe the goods in terms of what they do.
- (c) In accordance with section 269SJ of the *Customs Act 1901*, the CEO must not make a TCO in respect of goods:
 - (i) described in terms other than in generic terms; or
 - (ii) described in terms of their intended end use; or
 - (iii) declared by the regulations to be goods to which a TCO should not be extended.
 Goods will be taken to be described in terms other than in generic terms if, for example, their description, either directly or by implication, indicates that they are goods of a particular brand or model, or that a particular part number applies to the goods.
- (d) Guidance on the drafting of the description of goods is contained in Volume 13 of the ACS Manual and in Australian Customs Notice No. 98/19.

1 Describe the goods

Lights, Outdoor, With or Without Movement and Light Sensor For Domestic Use.

ILLUSTRATIVE MATERIAL

- 2 Attach technical, illustrative descriptive material and/or a sample to enable a full and accurate identification of the goods the subject of the application.**

TARIFF CLASSIFICATION

- 3 Identify the tariff classification (to 8 figure subheading level)** **94051000**
 Identify the General Duty rate **05%**
 If a Tariff Advice for the goods has been sought or obtained, please provide the TA No. or attach a copy.

USES OF THE IMPORTED GOODS

- 4 Describe ALL uses (including design uses) to which the goods can be put.**

Outdoor Lighting house or outer building For Domestic Use

SUBSTITUTABILITY OF LOCALLY PRODUCED GOODS

- (a) A local manufacturer's goods are substitutable when they are put, or are capable of being put, to a use that corresponds with a use (including a design use) to which the goods the subject of the application can be put (subsection 269B(1) of the *Customs Act 1901*). Even if not identical, locally made goods may be substitutable.
- (b) In determining whether the uses of Australian produced goods correspond with the uses of the goods the subject of the application, the ability of the goods to compete with each other in any market is not relevant.
- (c) The applicant must provide written information as to the inquiries made to establish that there are reasonable grounds for believing that there are no producers of substitutable goods in Australia. The application must include a copy of the research material sourced and a copy of correspondence to, and replies from, potential local manufacturers or relevant industry associations. The application will be rejected if it fails to provide all written information as to the inquiries made.

NOTE: The Australian Customs Service suggests that potential local manufacturers should be given at least 10 working days to respond to inquiries concerning local manufacture.

5 Provide details of the nature of ALL inquiries you have undertaken in order to establish that substitutable goods are not produced in Australia, and the results of those inquiries. Attach copies of all correspondence or directory searches, etc.

NO Australian Producer Found.

6 Provide any additional information in support of discharging your responsibility to establish that there are reasonable grounds for asserting that there are no substitutable goods produced in Australia in the ordinary course of business.

T.C. 9902814

PRESCRIBED ORGANISATIONS

7 Have you made inquiries of a prescribed organisation to obtain advice about whether there are producers in Australia of substitutable goods?

YES NO If YES, attach a copy of the advice received.

Note that under subsection 269M(6) of the *Customs Act 1901*, the CEO may, despite section 16 of the *Customs Administration Act 1985*, give a copy of all, or of a part, of the application to a prescribed organisation.

ADDITIONAL INFORMATION

8 Provide any additional information in support of your application.

T.C. 9902814

DECLARATION

I, s47F	Position Held s47F
Company (if applicable) <i>Consolidated Cargo & Customs Services</i>	
declare that:	
1 To the best of my knowledge and belief the information contained in this form is correct; and	
2 I have the authority to act on behalf of the company/applicant; and	
3 I agree, in submitting this form by electronic means (including facsimile) that, for the purposes of Sub-Section 14(3) of the Electronic Transactions Act, this application will be taken to have been lodged when it is first received by an officer of Customs, or if by e-mail, when it is first accessed by an officer of Customs, as specified in Sub-Section 269F(4) of the Customs Act.	
Signature of Applicant/Agent/Broker s47F	Date <i>23-2-2009</i>

NOTE: SECTION 234 OF THE CUSTOMS ACT 1901 PROVIDES THAT IT IS AN OFFENCE TO MAKE A STATEMENT TO AN OFFICER THAT IS FALSE OR MISLEADING IN A MATERIAL PARTICULAR.

WHEN THIS FORM HAS BEEN COMPLETED LODGE IT WITH CUSTOMS BY:

- posting it by prepaid post to the
National Manager, Tariff Branch
Australian Customs Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601
- or
- delivering it to the ACT Regional Office located at
Customs House, Canberra
- or
- sending it by facsimile to (02) 6275 6376
- or
- e-mailing it to tarcon@customs.gov.au.



If this form was completed by a business with fewer than 20 employees, please provide an estimate of the time taken to complete this form.

Hours Minutes

SUBMISSION OBJECTING TO THE MAKING OF A TARIFF CONCESSION ORDER (TCO)

THIS FORM MUST BE COMPLETED BY A LOCAL MANUFACTURER WHO WISHES TO OBJECT TO THE GRANTING OF A TCO. THE INFORMATION PROVIDED ON THIS PAGE WILL BE FORWARDED TO THE APPLICANT FOR THE TCO. THE FORM SHOULD BE READ CAREFULLY BEFORE BEING COMPLETED.

DETAILS OF THE TCO APPLICATION TO WHICH THIS SUBMISSION REFERS

GAZETTE NO TCO9/12 DATE Wednesday 25th March, 2009

Gazetted description of goods. TC Reference Number TC 090219
Lights, outdoor non ceramic, with or without movement and light sensor, - OP 23.02.09.
Stated use. Outdoor lighting houses or other buildings.

LOCAL MANUFACTURER DETAILS

Name Sylvania Lighting Australasia
Business Address Sylvania Way Lisarow NSW 2250
Postal Address (if the same as business address write "as above") Locked Bay 9, Gosford NSW 2250
Australian Business Number (A.B.N.) 81 000 534243
Reference S47F
Phone Number 02 4328 S47F
Facsimile Number 02 4328 1623
E-mail Address S47F

DETAILS OF THE SUBSTITUTABLE GOODS PRODUCED IN AUSTRALIA

1 Describe the locally produced substitutable goods the subject of the objection.
"Substitutable goods" are defined in the Customs Act 1901 as "goods produced in Australia that are put, or are capable of being put, to a use that corresponds with a use (including a design use) to which the goods the subject of the application or of the TCO can be put".
1. Briteline floodlight featuring 250 watt/2000 watt metal halide & high pressure sodium lamps.
2. Sylflood floodlight featuring 250 watt/400 watt metal halide & high pressure sodium lamps.

2 State the use(s) to which the substitutable goods are put or are capable of being put.
Outdoor lighting of houses or other buildings.
Received 6/4/09

3 Attach technical, illustrative descriptive material and/or a sample to enable a full and accurate identification and understanding of the substitutable goods. (See attached data sheet, Briteline)

4 Are you aware of any other local manufacturers producing substitutable goods? YES NO

5 If yes to question 4, please provide details of any goods produced in Australia which are substitutable for the goods for which a TCO is being sought, and the names and addresses of the manufacturers of those goods.
N/A

6 PRODUCTION OF GOODS IN AUSTRALIA

Goods other than unmanufactured raw products will be taken to have been produced in Australia if:
(a) the goods are wholly or partly manufactured in Australia; and
(b) not less than 1/4 of the factory or works costs of the goods is represented by the sum of:
(i) the value of Australian labour; and
(ii) the value of Australian materials; and
(iii) the factory overhead expenses incurred in Australia in respect of the goods.

Goods are to be taken to have been partly manufactured in Australia if at least one substantial process in the manufacture of the goods was carried out in Australia.

Without limiting the meaning of the expression "substantial process in the manufacture of the goods", any of the following operations or any combination of those operations DOES NOT constitute such a process:

- (a) operations to preserve goods during transportation or storage;
(b) operations to improve the packing or labelling or marketable quality of goods;
(c) operations to prepare goods for shipment;
(d) simple assembly operations;
(e) operations to mix goods where the resulting product does not have different properties from those of the goods that have been mixed.

A Are the goods wholly or partly manufactured in Australia? YES NO

B Does the total value of Australian labour, Australian materials and factory overhead expenses incurred in Australia represent at least 25% of the factory or works costs? YES NO

Specify each of the following costs per unit for the substitutable goods:

- Australian labour
- Australian materials
- Australian factory overhead expenses
- Imported content



TOTAL

Specify the date or period to which the costs relate.
Attach a copy of the working papers that were used in preparing the costs. Working papers should be supported by (at least two) extracts from the accounting records of the business.

C Is at least one substantial process in the manufacture of the goods carried out in Australia? YES NO

If yes, please specify at least one major process involved:
Cast body assembly manufactured + assembled in Australia

PRODUCTION OF GOODS IN THE ORDINARY COURSE OF BUSINESS
(Answer 7.1 or 7.2)

7.1 SUBSTITUTABLE GOODS OTHER THAN MADE-TO-ORDER CAPITAL EQUIPMENT

Substitutable goods (other than made-to-order capital equipment) are taken to be produced in Australia in the ordinary course of business if:
(a) they have been produced in Australia in the 2 years before the application was lodged; or
(b) they have been produced, and are held in stock, in Australia; or
(c) they are produced in Australia on an intermittent basis and have been so produced in the 5 years before the application was lodged;
and a producer in Australia is prepared to accept an order to supply such goods.

- A Have the goods been produced in Australia in the last 2 years? YES NO
- B Have the goods been produced and are they held in stock in Australia? YES NO
- C If the goods are intermittently produced in Australia, have they been so produced in the last 5 years? *N/A* YES NO
- D Are you prepared to accept an order for the goods? YES NO

7.2 SUBSTITUTABLE GOODS BEING MADE-TO-ORDER CAPITAL EQUIPMENT *N/A*

"Made-to-order capital equipment" means a particular item of capital equipment that is made in Australia on a one-off basis to meet a specific order rather than being the subject of regular or intermittent production and that is not produced in quantities indicative of a production run. Capital equipment means goods which, if imported, would be goods to which Chapters 84, 85, 86, 87, 89 or 90 of Schedule 3 to the Customs Tariff Act 1995 would apply.

Goods that are made-to-order capital equipment are taken to be produced in Australia in the ordinary course of business if:
(a) a producer in Australia:
(i) has made goods requiring the same labour skills, technology and design expertise as the substitutable goods in the 2 years before the application; and
(ii) could produce the goods with existing facilities; and
(b) the producer in Australia is prepared to accept an order to supply the substitutable goods.

- E Have goods requiring the same labour skills, technology and design expertise as the goods the subject of the application been made in Australia in the last 2 years? YES NO
If yes, describe the goods made during this period:

.....
.....
.....

- F Can the goods be produced with existing facilities? YES NO
- G Are you prepared to accept an order for the goods? YES NO

8 What was the first date on which you were prepared to accept an order? 1 / 2 / 1986


Are the goods still in production? YES NO

If the answer is no, when did production cease? / /

If production has ceased and goods are held in stock, please estimate the date by which stock is expected to be sold, based on past sales information and attrition rate of the local goods. / /

Provide any additional information in support of your objection.

s47F



NOTES

- (a) Section 269K and 269M of the *Customs Act 1901* require that a submission opposing the making of a TCO be in writing, be in an "approved form", contain such information as the form requires, and be signed in the manner indicated in the form. **This is the approved form for the purposes of those sections.**
- (b) A submission will be date stamped on the day it is first received in Canberra by an officer of Customs. The submission is taken to have been lodged on that day.
- (c) For the submission to be taken into account, it must be lodged with Customs:
 - no later than 50 days after the gazettal day for an application for a TCO;
 - no later than 14 days after the gazettal day for an amended application for a TCO; or,
 - where the Chief Executive Officer has invited a submission, within the period specified in the invitation.
- (d) **Every question on the form must be answered.**
- (e) Where the form provides insufficient space to answer a question, an answer may be provided in an attachment. The attachment should clearly identify the question to which it relates.
- (f) Unless otherwise specified, all information provided should be based on the situation as at the date of lodgement of the TCO application.
- (g) Customs may require an objector to substantiate, with documentary evidence, information provided in relation to the objection.
- (h) Further information on the Tariff Concession System is available in Part XVA of the *Customs Act 1901*, in the foreword to the Schedule of Concessional Instruments, in the administrative guidelines in Volume 13 of the Australian Customs Service Manual, in Australian Customs Notice No. 98/19, on the internet at www.customs.gov.au, by e-mailing information@customs.gov.au or by phoning the Customs Information Centre on 1300 363 263.

I agree, in submitting this form by electronic means (including facsimile) that, for the purposes of Sub-Section 14(3) of the Electronic Transactions Act, this submission will be taken to have been lodged when it is first received by an officer of Customs, or if by e-mail, when it is first accessed by an officer of Customs, as specified in Sub-Section 269F(4) of the Customs Act.

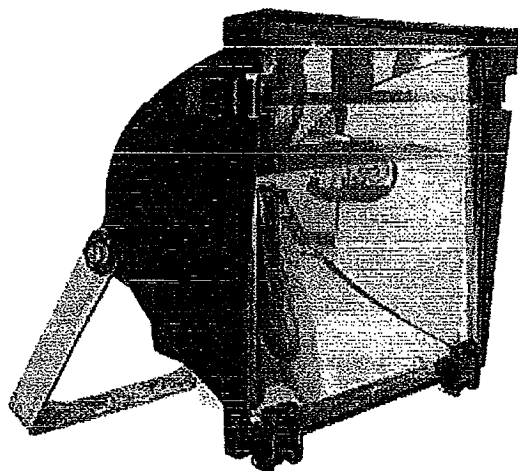
Full Name	s47F	Position Held	s47F
Signature	s47F	Date	1.4.2009

NOTE: SECTION 234 OF THE CUSTOMS ACT 1901 PROVIDES THAT IT IS AN OFFENCE TO MAKE A STATEMENT TO AN OFFICER THAT IS FALSE OR MISLEADING IN A MATERIAL PARTICULAR.

WHEN THIS FORM HAS BEEN COMPLETED LODGE IT WITH CUSTOMS BY:

- posting it by prepaid post to the National Manager, Tariff Branch
Australian Customs Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601
or
- delivering it to the ACT Regional Office located at
Customs House, Canberra
or
- sending it by facsimile to (02) 6275 6376
or
- e-mailing it to tarcon@customs.gov.au.

Briteline Elite T8 / Sportsline T8 Series



High Performance Floodlight

The Briteline T8 series are reliable and trusted high performance floodlights, designed and manufactured in Australia to suit Australasian conditions. The Briteline Elite features Constant Wattage control gear allowing for precise lamp control, minimised cabling and premium protection against supply voltage variations. The Briteline Sportsline offers Ignitor Reactor control gear allowing for an economical solution for small to medium floodlight installations.

Luminaire Construction

- High pressure die-cast DA401 aluminium body
- Black polyester powdercoat finish
- Toughened 5mm glass hinged visor combined with a latch fixing system
- High purity 99.8% anodised aluminium reflector system in either Specular (Narrow) or Peened (Wide) beam configurations
- Stainless steel fasteners

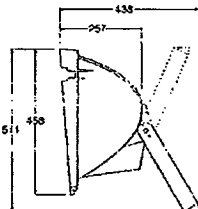
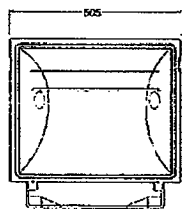
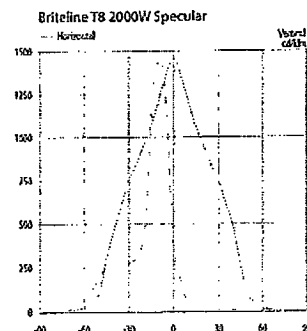
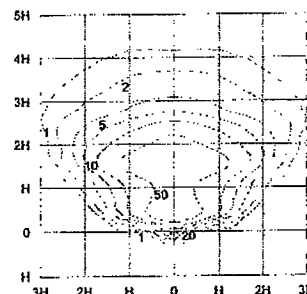
Features

- Compact and light weight construction allowing for minimisation of pole/mounting costs
- Over/under slung mounting capability
- Certification for use in all areas up to and including Category D Cyclone
- Remote Gear tray or Cast box options – Elite: 240V or 415V, Sportsline: 415V only
- Glare shield options
- Upward waste light visor option
- Wire guard option
- For general sports lighting layouts, refer page 17

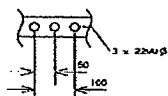
Applications



	H	Multiples
Briteline T8 2000W Specular	18.0	1.00
MH = 18m Alm = 60deg	20.0	0.81
	25.0	0.52



Sail Area: 0.24m²
Sail Area Calculated in this Direction →



DESCRIPTION	TYPE	BASE	LAMP	WEIGHT
BLP ELITE 2000W T8 CWA 240V	Metal Halide	Special	M2000/T8/DE	13.0kg*
BLP ELITE 2000W T8 CWA 415V	Metal Halide	Special	M2000/T8/DF	13.0kg*
BLS ELITE 2000W T8 CWA 240V	Metal Halide	Special	M2000/T8/DE	13.0kg*
BLS ELITE 2000W T8 CWA 415V	Metal Halide	Special	M2000/T8/DE	13.0kg*
BLP S/LINE 2000W T8 IR 415V	Metal Halide	Special	M2000/T8/DE	13.0kg*
BLS S/LINE 2000W T8 IR 415V	Metal Halide	Special	M2000/T8/DE	13.0kg*

Note: S-Series is specular finish (Narrow Beam). P-Series is peened finish (Wide Beam).
* Fixture mass shown only.

Options Available:
▲ IP65 option available.



For relevant start and run currents, please refer to SLA website.



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s47 [redacted]

[redacted]

[redacted]



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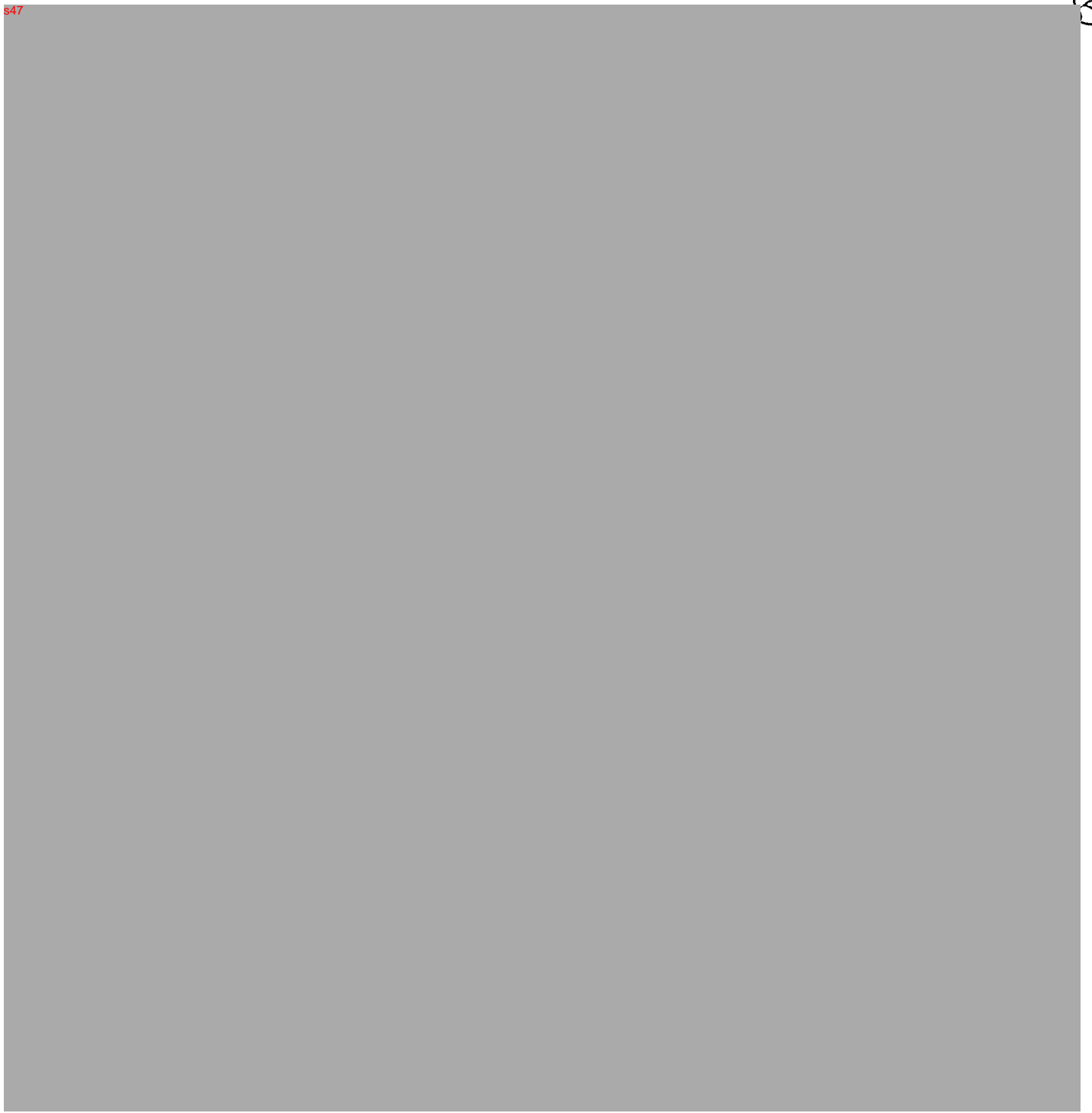
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74

s47F

From: s47F
Sent: Wednesday, 10 June 2009 10:57
To: s47F
Cc: s47F
Subject: Tariff Concession Objection withdrawals.

s47F

Please be advised that we have had communications with Mercator Lighting Pty Ltd re the following tariff concession order applications gazetted Wednesday 25th, March, 2009, objections dated Wednesday, 1st April, 2009.

TC 0906217
TC 0906218
TC 0906219

Sylvania Lighting Australasia would like to withdraw our objections to these three TCO applications effective immediately.

Please reply to this email to indicate acceptance of this and advise if there is anything further required.

Thanks and Regards

s47F

s47F

s47F / Sylvania
Sylvania Lighting Australasia
☎ +61 (0)2 4328 s47F
☎ +61 (0)2 4328 1623
✉ s47F
🌐 <http://www.sla.net.au>

SLA **Concord**
SYLVANIA
Where Innovation comes to Light!



Australian Government
Australian Customs Service

Reply to the Chief Executive Officer

Quote: TC 0906219
Your Ref: Mercator

Australian Customs Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601
Ph: (02) 6275 s47F
Fax: (02) 6275 6376
Email: tarcon@customs.gov.au

12 June 2009

s47F

CONSOLIDATED CARGO UNIT TRUST
PO BOX 223
FOOTSCRAY VIC 3011

Dear s47F

TARIFF CONCESSION SYSTEM
APPLICATION SUCCESSFUL

I refer to your application for Tariff Concession Order (TCO) Number TC 0906219 lodged on 23 February 2009.

As a delegate of the Chief Executive Officer I am satisfied that the application meets the core criteria on the basis of section 269C of the *Customs Act 1901* and have accordingly made a written Tariff Concession Order.

The decision to make a TCO will be published in Gazette Number TC09/24 of 17 June 2009.

The TCO, as detailed in the attachment, will also be published in the Schedule of Concessional Instruments as soon as possible.

Yours sincerely,

s47F

Delegate of the Chief Executive Officer

Description of the Particular goods including the applicable subheading of the Customs Tariff	Schedule 4 Item Last day of effect
9405.10.00 LIGHTS, outdoor, non ceramic with or without movement and light sensor Op. 23.02.09 Dec. date 12.06.09 - TC 0906219	50

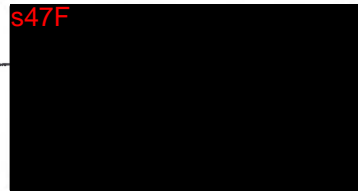
TARIFF CONCESSION ORDER

Under Section 269P of the Customs Act 1901, I, **S47F** a delegate of the Chief Executive Officer declare that the goods specified in Column 1 of THE TABLE are goods to which the item in Part III of Schedule 4 to the Customs Tariff Act 1995 specified in Column 2 of THE TABLE applies. This Order shall have effect from 23.02.09 and continue in force until revoked under sections 269SC or 269SD of the Act, or the date, if any, specified in Column 2.

THE TABLE

COLUMN 1		COLUMN 2
Description of Goods including the Customs Tariff Classification		Schedule 4 Item Number Last date of effect
9405.10.00	LIGHTS, outdoor, non ceramic with or without movement and light sensor	50
	Op. 23.02.09	- TC 0906219

S47F





This is page 1 of 1 Page of the above Table.

Dated 12 June 2009

.....
Delegate of the Chief Executive Officer


s47F

From: s47F 
Sent: Wednesday, 17 February 2010 14:56
To: s47F 
Subject: RE: TC 0906219 [SEC=UNCLASSIFIED]
Security Classification: UNCLASSIFIED

Dear s47F 

TC 0906219 has been revoked and reissued as 1008028 as per the following wording:



9405.10.00 LIGHTS, outdoor, non ceramic except for insulators and connectors, with or without movement and light sensor



Op. 23.02.09
1008024



- TC


This will gazetted in the next Tariff Concessions Gazette TC10/06 of 24 February 2010.

Regards

s47F 
s47F  - Tariff Concessions Section
Trade Services Branch
Australian Customs and Border Protection Service

Ph: 02 6275 s47F 
Fx: 02 6275 6376
Em: s47F 

From: s47F 
Sent: Monday, 15 February 2010 10:04
To: s47F 
Subject: RE: TC 0906219 [SEC=UNCLASSIFIED]

Dear s47F 
Thank you for your reply.
The small parts are ceramic insulators and connectors.
Best regards

s47F s47G 

17/02/2010

From: s47F [REDACTED]
Sent: Monday, 15 February 2010 10:01 AM
To: s47F [REDACTED]
Subject: RE: TC 0906219 [SEC=UNCLASSIFIED]

Dear s47F [REDACTED]

Thank you for your email.

Could you please itemise the 'small parts' that you consider should be covered by the exception.

Regards

s47F [REDACTED]
s47F [REDACTED] - Tariff Concessions Section
Trade Services Branch
Australian Customs and Border Protection Service

Ph: 02 6275 s47F [REDACTED]
Fx: 02 6275 6376
Em: s47F [REDACTED]

From: s47F [REDACTED]
Sent: Monday, 15 February 2010 09:55
To: s47F [REDACTED]
Subject: TC 0906219

Dear Sir

We request your consideration to the re wording of tariff concession TC 0906219
Our suggested new wording is:

Lights, outdoor, non ceramic EXCEPT for lamp holder and small parts, with or without movement and light sensor

The concession is copied below:

Tariff Code: **9405.10.00**
Reference No: **0906219**
Schedule4 Item: **50**

LIGHTS, outdoor, non ceramic with or without movement and light sensor
Op. 23.02.09 Dec. Date 12.06.09 - TC 0906219

Than you for your assistance in this matter.

Best regards

s47F [REDACTED]

s47G [REDACTED]

17/02/2010

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s47G



IMPORTANT:

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81

s47F

From: s47F
Sent: Monday, 15 February 2010 10:04
To: s47F
Subject: RE: TC 0906219 [SEC=UNCLASSIFIED]

Dear s47F
Thank you for your reply.
The small parts are ceramic insulators and connectors.
Best regards

s47F

s47G

From: s47F
Sent: Monday, 15 February 2010 10:01 AM
To: s47F
Subject: RE: TC 0906219 [SEC=UNCLASSIFIED]

Dear s47F

Thank you for your email.

Could you please itemise the 'small parts' that you consider should be covered by the exception.

Regards

s47F

s47F - Tariff Concessions Section
Trade Services Branch
Australian Customs and Border Protection Service

Ph: 02 6275 s47F
Fx: 02 6275 6376
Em: s47F

From: s47F
Sent: Monday, 15 February 2010 09:55
To: s47F
Subject: TC 0906219

Dear Sir

We request your consideration to the re wording of tariff concession TC 0906219
Our suggested new wording is:

15/02/2010

JC

Lights, outdoor, non ceramic EXCEPT for lamp holder and small parts, with or without movement and light sensor

The concession is copied below:

Tariff Code: **9405.10.00**

Reference No: **0906219**

Schedule4 Item: **50**

LIGHTS, outdoor, non ceramic with or without movement and light sensor

Op. 23.02.09

Dec. Date 12.06.09

- TC 0906219

Than you for your assistance in this matter.

Best regards

s47F

s47G

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EXPLANATORY STATEMENT

Tariff Concessions Revocation Instrument 43/2012

Customs Act 1901

Background

Part XVA of the *Customs Act 1901* (the Act) sets out a scheme under which Tariff Concession Orders (TCOs) may be made and revoked by the Chief Executive Officer of Customs (the CEO). A free rate of customs duty applies to goods that are the subject of a TCO.

Under sections 269C and 269P of the Act, a TCO will be made if the application for the TCO meets the core criteria, that is, on the day on which the application was lodged, no substitutable goods were produced in Australia in the ordinary course of business.

Subsection 269SD(3) of the Act provides that if the CEO is satisfied that, in making a TCO, there has been a transcription error in the description of goods the subject of the TCO including the tariff classification that is stated in the TCO to apply to the goods, the CEO may:

- make an order revoking the TCO; and
- make a new TCO in respect of goods that corrects the error.

Instrument

Tariff Concessions Revocation Instrument No 43/2012 was made on 17 February 2010. It revokes TCO 0906219 and makes TCO 1008024 because of a transcription error.

Consultation

No consultation was undertaken since the change is of a minor or machinery nature and does not substantially alter existing arrangements.

Commencement

Subsection 269SD(3) provides that the order revoking the TCO has effect from the day on which the TCO came into force and the new TCO has effect from the revocation of the old TCO.

Subsection 269SD(6) provides that section 269SD has effect despite section 12 of the *Legislative Instruments Act 2003*. Section 12 prohibits the making of certain retrospective legislative instruments.

Tariff Concession Revocation Instrument No. 43/2012 revoked 0906219 and made new TCO 1008024 on 17 February 2010.

TARIFF CONCESSION REVOCATION ORDER

Under Section 269SD(3) of the Customs Act 1901, **s47F** a delegate of the Chief Executive Officer

(a) revoke Tariff Concession Order Number 0906219 made on 12.06.09, in respect of the goods described in TABLE A below. This Revocation has effect from 17.02.10; and

(b) make in its place the Tariff Concession Orders described in TABLE B. The goods specified in Column 1 of TABLE B are goods to which the item in Part III of Schedule 4 to the Customs Tariff Act 1995 specified in Column 2 of TABLE B applies. The Order shall have effect from the date notified in paragraph (a) above as the date of effect for the Revocation.

TABLE A

COLUMN 1		COLUMN 2
Description of Goods including the Customs Tariff Classification		Schedule 4 Item Number Last date of effect
9405.10.00	LIGHTS, outdoor, non ceramic with or without movement and light sensor	50 17.02.10
	Op. 23.02.09	- TC 0906219

This is page 1 of 2 Pages of the instrument.

Dated 17 February 2010

s47F

.....
Delegate of the Chief Executive Officer

COLUMN 1
 Description of Goods including the
 Customs Tariff Classification

COLUMN 2
 Schedule 4 Item Number
 Last date of effect

9405.10.00 LIGHTS, outdoor, non ceramic except for insulators and
 connectors, with or without movement and light
 sensor

50

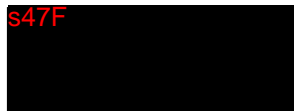
Op. 23.02.09

- TC 1008024

This is page 2 of 2 Pages of the instrument.

Dated 17 February 2010

S47F



.....
 Delegate of the Chief Executive Officer

File Note

ge

On 9 July 2014 I formed a belief, in accordance with s.269SD (1AA) that if certain Tariff Concession Orders (TCO) were in place today the CEO would not have made the TCOs. The relevant TCOs are:

TCO	Tariff Classification
1008024	9405.10.00
1218915	9405.40.00

The TCOs are worded as follows:

TC 1008024

LIGHTS, outdoor, non-ceramic except for insulators and connectors with OR without movement and light sensor

Stated use: outdoor lighting houses or outer buildings.

TC 1218915

LIGHTS, outdoor, non-ceramic except for insulators and connectors with OR without movement and light sensor

Stated use: illumination of outdoor areas.

On advice from an officer of Trade Policy and Negotiation I have formed the view that, in accordance with s.269SD(1AA) the CEO would not have made the TCOs today, being a **particular day** for the purpose of the legislation as the wording does not contain a full description of the goods. A full description of the goods is a mandatory requirement of s.269F(3) of the *Customs Act 1901*.

The wording of goods requires the insulators and connectors to be "not non-ceramic", or in other words, ceramic. Ceramic is non-conductive so it is not possible to have goods described as light with non-conductive connectors. Clearly a light must have a conductive connector, so the wording does provide a full description of the goods the subject of the TCO.

s47F

Delegate of the Chief Executive Officer
9 July 2014

No submission received.
TCO revoked 11/9/14,
effective 9/7/14 for the
above reasons.

s47F

s47F

s47F

TARIFF CONCESSION REVOCATION ORDER

Under Section 269SD(1ab) of the Customs Act 1901, I **S47F** a delegate of the Chief Executive Officer revoke Tariff Concession Order Number 1008024 made on 17.02.10, in respect of the goods described in the TABLE below. The Revocation has effect from 09.07.14.

90

THE TABLE

COLUMN 1 Description of Goods including the Customs Tariff Classification	COLUMN 2 Schedule 4 Item Number Last date of effect
9405.10.00 LIGHTS, outdoor, non ceramic except for insulators and connectors, with or without movement and light sensor Op. 23.02.09	50 08.07.14
- TC 1008024	

This is page 1 of 1 Page of the above Table.

Dated 11 August 2014

S47F

.....
Delegate of the Chief Executive Officer



Australian Government
Australian Customs and
Border Protection Service

Document #15

46

Reply to the Chief Executive Officer

Quote: TC 1218915
Your Ref: outdoor

Australian Customs and
Border Protection Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601
Ph: (02) 6275 s47F
Fax: (02) 6275 6376
Email: tarcon@customs.gov.au

4 June 2012

s47F

APC LOGISTICS PTY LTD
PO BOX 488
PORT MELBOURNE VIC 3207

Dear s47F,

TARIFF CONCESSION SYSTEM
APPLICATION ACKNOWLEDGEMENT

Your application for a Tariff Concession Order, details of which are shown below, was received in this office on 1 June 2012. The TC number TC 1218915 has been allocated to your application.

Date Received:	1 June 2012
Applicant:	THE TRUSTEE FOR ARLEC UNIT TRUST
Goods:	OURDOOR LIGHTS
Applicant ABN/CAC	59399836281/001

Yours sincerely,

s47F

Senior Customs Officer
Trade Services

s47F

From: s47F
Sent: Monday, 4 June 2012 11:08
To: s47F
Subject: RE: Tariff Concession Application- Worklights [SEC=UNCLASSIFIED]
Security Classification: UNCLASSIFIED

Good Morning s47F

We have received your 2 TCO Applications on behalf of Arlec Australia

The receipt date is the 1st of June 2012 and the TCO numbers are

1 Worklights - 12/18913

2 Outdoor Lights - 12/18915

An acknowledgement will follow at a later date

Regards

s47F

Senior Customs Officer
Tariff Concessions Section
Trade Services Branch
Australian Customs and Border Protection Service
Canberra ACT

Ph 02 6275 s47F
Fax 02 6275 6376

From: s47F
Sent: Friday, 1 June 2012 15:37
To: TARCON
Subject: Tariff Concession Application- Worklights

Good Afternoon

Please find attached a Tariff Concession Application for Work lights lodged on behalf of our client Arlec Ltd.

Should you require any additional information please do not hesitate to contact me.

s47F

APC Logistics Pty Ltd
Tel +61 3 9644 s47F
Fax+61 3 9644 7250

04/06/2012

From: [REDACTED] s47F
 Sent: Friday, 1 June 2012 16:19
 To: TARCON
 Subject: Tariff Concession Application - Outdoor Lights
 Follow Up Flag: Follow up
 Flag Status: Red
 Attachments: 0408_001.pdf; RD4634D[1].pdf; RD4643D[1].pdf

Good Afternoon

Please find attached a Tariff Concession Application for Outdoor Lights lodged on behalf of our client Arlec Ltd.

Should you require any additional information please do not hesitate to contact me.

12/18915

ROCCINON

1/6/12 ✓

B TCO Applications

Commonwealth of Australia Gazette
 No TC09/12, Wednesday, 25 Mar 2009

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number General Rate
8546.20.00 BUSHINGS, TRANSFORMER Op. 13.02.09 Stated Use: Bushing for transformers Applicant: ORIGIN ENERGY POWER LIMITED	- TC 0905076 50
8705.90.00 CARRIER VEHICLES, TRACK LAYING, incorporating an integrated binder spreader machine, having ALL of the following: (a) closed circuit hydraulic drive; (b) distribution screw with variable pitch; (c) adjustable dosing Op. 24.02.09 Stated Use: Prelaying of binding preparations for soil processing as hardened road base Applicant: WAGSTAFF PILING PTY. LTD.	- TC 0906323 50
8716.80.00 TROLLEYS, BANQUET, stainless steel, having a handling capacity NOT greater than 122 dinner plates Op. 23.02.09 Stated Use: Delivery of meals in function rooms, hotels etc Applicant: MOFFAT PTY LIMITED	- TC 0906143 50
9405.10.00 FLOODLIGHTS, non ceramic Op. 23.02.09 Stated Use: For lighting up an area surrounding any home or external building Applicant: MERCATOR LIGHTING PTY. LTD.	- TC 0906217 50
9405.10.00 LIGHTS, outdoor, non ceramic, with or without movement and light sensor Op. 23.02.09 Stated Use: Outdoor lighting houses or outer buildings Applicant: MERCATOR LIGHTING PTY. LTD.	- TC 0906219 50

11 TCOs Revoked and Re-issued - Transcription Error

Commonwealth of Australia Gazette
No TC10/08, Wednesday, 24 Feb 2010

CUSTOMS ACT 1901 - NOTICE PURSUANT TO SECTION 269EE(1)

TARIFF CONCESSION ORDERS REVOKED AND NEW TARIFF CONCESSION ORDERS MADE IN ACCORDANCE WITH 269SD(3) OF THE CUSTOMS ACT.

Tariff Concession Orders for the goods described in the following TABLE have been revoked and new Tariff Concession Orders made in respect of the goods described below.

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

THE TABLE

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number Last Date of Effect
TCO REVOKED	
9405.10.00 LIGHTS, outdoor, non ceramic with or without movement and light sensor Op. 23.02.09 Dec. date 12.06.09 - TC 0906219	50 N/A
Order revoked - transcription error - see TC1008024	
TCO REISSUED	
9405.10.00 LIGHTS, outdoor, non ceramic except for insulators and connectors, with or without movement and light sensor Op. 23.02.09 Dec. date 17.02.10 - TC 1008024	50

s47F

APC Logistics Pty Ltd
Tel +61 3 9644 s47F
Fax+61-3 9644 7250
Mobile s47F
www.apclogistics.com.au



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ClassicLite, a Melbourne based **Australian** company is well known for its high end ... For more details about stylish **lighting** products get in touch with ClassicLite. ...
Lighting | Lighting Richmond | Lighting Melbourne. 03 9421 2911. **Home ...** Wide range of products, from indoor to **outdoor** and modern to classic, ensures that ...

[Light and Lamp Manufacturing in Australia Market Research ...](#)

www.ibisworld.com.au/industry/default.aspx?indid=272
Bright future: Exports and demand for energy-efficient **lighting** lead revenue growth ... The **Australian manufacturing** operations of light and lamp companies are ...

[Designers | Janie Collins Interiors - a Queensland business backing ...](#)

www.janiecollins.com.au/designers/
An **Australian Manufacturer** in Melbourne. Tony Basile's attention to detail focuses on contemporary and custom design in all media, specialising in timber ...

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www.lpaust.com.au/
Manufacturer specification sheets of LPA **lighting** products are now available in PDF on ... in addition to catering for most **lighting** applications including **domestic**, ... used in commercial or **domestic** applications including fittings for **outdoor** use.

[PDF] [AustraliAn lighting CapAbility DireCtory: SPARC 2011, Sydney](#)

www.innovation.gov.au/.../AustralianIndustryParticipation/.../...
File Format: PDF/Adobe Acrobat - Quick View
Australian lighting companies are embracing Leds and adapting them for various applications. The industry has x Led innovation leader in infrastructure and **outdoor lighting** ... networks for the **domestic**, commercial and industrial sectors.

[PDF] [Guide to Standards - Building and Construction](#)

www.saiglobal.com/.../Australian_Standards_and_Building_Products...
File Format: PDF/Adobe Acrobat - Quick View
28 Jan 2011 - Your snapshot of **Australian Standards**® 4386.2:1996, **Domestic** kitchen assemblies - Installation and AS/NZS 5601 SET:2010, ... **Standards Australia** has not established any **manufacturing** ... and units supplied with all types of **LED lights** used indoors and outdoors should be tested to meet IEC ...

[Oak Grande Retirement Village - Outdoor Design Source](#)

www.outdoordesign.com.au/article/Oak-Grande-Retirement.../0846
3 Apr 2012 - Geoff installs landscape grass for the **domestic/commercial** market but needed a specialist in bowling greens to finish the project. ... This article is published by Outdoor Design Source, **Australia's** most ... Featuring **suppliers** for landscaping, playground equipment, shade structures and **outdoor lighting** in all ...

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0 matches found for "Australian Manufacturers Domestic Outdoor Lighting"

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australian LED display manufacturer

China (Mainland)



Australian lambskin rugs (manufacturer)

China (Mainland)



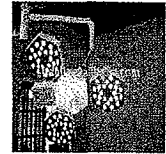
Australian sheepskin rug (manufacturer)

China (Mainland)

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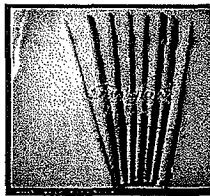


OP-TH-P9, LED, LED ceiling light..



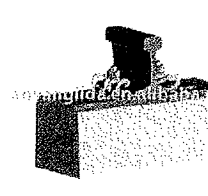
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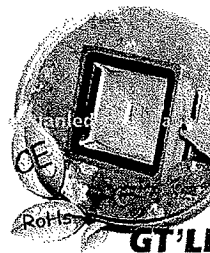
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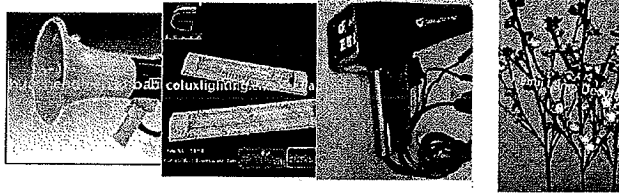


Manufacturers selling High-p-LED Outdoor Lighting

China (Mainland)

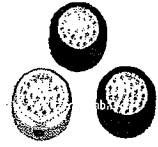
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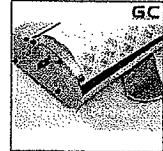


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Suggestions



You searched for **Outdoor lights**. Sorry, your search query did not return any results.

You can try

- using different keywords
- expanding your search by using the advanced search
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Campaign Partners





Australian Government
Australian Customs and
Border Protection Service

APPLICATION FOR TARIFF CONCESSION ORDER (TCO)

IMPORTANT: Please read the information below carefully before completing this form.

Are you aware that substitutable goods are produced in Australia in the ordinary course of business?

- (a) If you are aware, based on information and your inquiries that substitutable goods are being produced in Australia in the ordinary course of business then you should not lodge an application for a TCO.

Do you need to apply for new TCO?

- (b) Before lodging this application for a TCO, the applicant should determine whether a suitable TCO already exists. Information on existing TCOs is contained in the Schedule of Concessional Instruments (SCI), which is available on the Internet at www.customs.gov.au.

Have you verified that there are no substitutable goods produced in Australia (refer to questions 5, 6 and 7 of the form)?

- (c) Section 269FA of the *Customs Act 1901* states "It is the responsibility of an applicant for a TCO to establish, to the satisfaction of the Chief Executive Officer (CEO), that, on the basis of:
- (i) all information that the applicant has, or can reasonably be expected to have; and
 - (ii) all inquiries that the applicant has made, or can reasonably be expected to make; there are reasonable grounds for asserting that the application meets the core criteria".
- The application is taken to meet the core criteria if, on the day of lodgement of the application, **no substitutable goods** were produced in Australia in the ordinary course of business.
- 12/18915

Completing the application

- (d) Section 269F of the *Customs Act 1901* requires that a TCO application be in writing, be in an "approved form", contain such information as the form requires, and be signed in the manner indicated in the form. **This is the approved form for the purposes of that section.**
- (e) Section 269F(3) states that a TCO application must contain:
- (a) a full description of the goods to which the application relates; and
 - (b) a statement of the tariff classification that, in the opinion of the applicant, applies to the goods; and
 - (c) if the applicant is not proposing to make use of the TCO to import the goods to which the application relates into Australia on the applicant's own behalf – the identity of the importer for whom the applicant is acting; and
 - (d) particulars of all inquiries made by the applicant (including inquiries made of prescribed organisations) to assist in establishing that there were reasonable grounds for believing that on the day on which the application was lodged, there were no producers in Australia of substitutable goods.
- RECEIVED 1/6/12 W

Question 1 to 8 must be answered

- (f) Failure to supply the information required by this form will result in rejection of the application (and in the loss of operative date.)
- (g) Customs and Border Protection may require an applicant to substantiate, with documentary evidence, any information provided in the application form. Customs and Border Protection may also undertake its own inquiries as allowed under section 269M.
- (h) Receipt of your application will be acknowledged. Any resultant TCO will operate from the date of receipt.
- (i) Where an application is accepted as being a valid application, the identity of the applicant and of the importer for whom the applicant is acting will be published in the *Commonwealth of Australia Tariff Concessions Gazette* (the Gazette).
- (j) Further information on the Tariff Concession System is available in Part XVA of the *Customs Act 1901*; in relevant Australian Customs Notices (ACNs), Practice Statements and related Instructions and Guidelines on the Internet at www.customs.gov.au; by e-mailing tarcon@customs.gov.au; or by phoning the Customs and Border Protection Information Centre 1300 363 263.
- (k) Attached to this form are extracts from relevant legislation. Also please refer to Australian Customs Notice 2010/03 containing advice as to what Customs and Border Protection considers to be 'reasonable inquiries', advice on conducting searches on national and international search engines and a suggested format letter that you might choose to use when contacting potential local manufacturers to determine if it produces substitutable goods.

APPLICANT DETAILS

Applicant's Name: ARLEC AUSTRALIA LIMITED	Australian Business Number (A.B.N): 59399836281
Postal Address: BLACKBURN NORTH LPO PO BOX 1065 BLACKBURN NORTH 3130	
Applicant's Reference:	Company Contact: s47F
Telephone Number: s47F	Position Held: s47F
Mobile Telephone Number:	Email Address: s47F
Facsimile Number: 0399825196	

If the applicant (as named above) does not intend to use the TCO to import into Australia the goods the subject of the application, you must provide, in the section below, the identity of the importer for whom you are acting (refer to paragraph 296F(3)(c) of the Customs Act 1901.

IMPORTER DETAILS

If same as applicant write "as above" Importer's Name: AS ABOVE	Australian Business Number (A.B.N):
Postal Address:	
Importer's Reference:	Company Contact:
Telephone Number:	Position Held:
Mobile Telephone Number:	Email Address:
Facsimile Number:	

AGENT/BROKER DETAILS (if applicable)

Agent's Name: APC LOGISTICS PTY LTD	Australian Business Number (A.B.N): 52006246260
Postal Address: PO BOX 488 PORT MELBOURNE VIC 3207	
Agent's Reference:	Agency Contact: s47F
Telephone Number: s47F	Position Held: s47F
Mobile Telephone Number: s47F	Email Address: s47F
Facsimile Number: 0396447250	

Is this application intended to support an application for a concession under the Enhanced Project By-law Scheme?

 YES

 NO

1. DESCRIPTION OF GOODS

- (a) The description of the goods in the application may be used as the description of the goods in the TCO (if made).
- (b) The application must provide a full description of the goods, including the physical features of the various components of the goods. It must not describe the goods in terms of what they do.
- (c) In accordance with section 269SJ of the Customs Act 1901, the CEO must **not** make a TCO in respect of goods:
 - (i) described in terms other than in generic terms; or
 - (ii) described in terms of their intended end use; or
 - (iii) declared by the regulations to be goods to which a TCO should not be extended.

Goods will be taken to be described in terms other than in generic terms if, for example, their description, either directly or by implication, indicates that they are goods of a particular brand or model, or that a particular part number applies to the goods.
- (d) Guidance on the drafting of the description of goods is contained in relevant Practice Statements and/or Instructions and Guidelines on the Internet at www.customs.gov.au. Failure to comply with Customs and Border Protection requirements may result in rejection of the application.

Describe the goods as you would propose the wording to appear if the Tariff Concession Order is granted.

LIGHTS, outdoor, non ceramic except for insulators and connectors, with or without movement and light sensor

2. ILLUSTRATIVE MATERIAL

Attach technical and illustrative descriptive material (IDM) as well as any extracts from the relevant industry standard (if referred to in the description of the goods) and/or a sample to enable full and accurate identification of the goods the subject of the application. This application will be rejected if insufficient or inadequate IDM is provided.

Please note that simply supplying a reference to a website is not acceptable.

3. TARIFF CLASSIFICATION

- (a) Identify the tariff classification (to 8 figure subheading level)
- (b) Identify the General Duty rate 5 %
- (c) If a Tariff Advice for the goods has been sought or obtained, please provide the TA No or attach a copy.

4. USES OF THE IMPORTED GOODS

Describe ALL uses (including design uses) to which the goods can be put.

Illumination of outdoor areas

5. Information that the applicant and importer has regarding Australian manufacturers of substitutable goods or potentially substitutable goods.

The following questions require the applicant and the importer (if a different party to the applicant) to provide details of all information that they have with regard to the presence of Australian manufacturers of substitutable goods or potentially substitutable goods.

5A APPLICANT.

In considering the goods which are the subject of this TCO application, is the applicant aware of any Australian manufacturers or producers of substitutable goods, or of potentially substitutable goods?

YES NO If YES, please provide the names of these Australian manufacturers or producers.

5B - IMPORTER.

In considering the goods which are the subject of this TCO application, is the importer (as listed on page 2) aware of any Australian manufacturers or producers of substitutable goods or potentially substitutable goods?

YES NO If YES, please provide the names of these Australian manufacturers or producers.

5C. Please provide details of other information that the applicant and/or importer may have to assist in locating any local manufacturers.

(i) Is the applicant and/or importer a member of a relevant industry association and, if so, what is the name of the association?

YES NO

If YES, what is the name of association/s:

(ii) Has the applicant and/or importer attended, in the past year, any trade fairs or industry events where Australian manufacturers and producers of goods that may be substitutable have been exhibitors?

YES NO

If YES, what is/are the name/s of relevant Australian manufacturers of potentially substitutable goods that may have exhibited?

(iii) In the past two years, has the applicant and/or importer participated in government and/or trade procurement processes (for example, tenders for made-to-order capital equipment) which might indicate the existence of Australian manufacturers or producers of goods that are substitutable, or potentially substitutable, for the goods that are the subject of this TCO application?

YES NO

If YES, describe each procurement process, and type of goods, including made-to-order capital goods, that were the subject of each procurement process and any Australian manufacturers or producers known to have participated in each procurement process?

6. INQUIRIES THAT THE APPLICANT AND/OR IMPORTER HAS MADE REGARDING LOCAL MANUFACTURERS OF SUBSTITUTABLE GOODS, OR OF POTENTIALLY SUBSTITUTABLE GOODS?

The following questions require you to provide details of all inquiries that the applicant and/or importer have made to assist the CEO in establishing that there are reasonable grounds for believing that, on the day on which the application was lodged, there were no producers or manufacturers in Australia of substitutable goods, or potentially substitutable goods.

6A - PRESCRIBED ORGANISATIONS - Prescribed organisations, such as the Industry Capability Network, are listed in Regulation 179A of Customs Regulations 1926.

Have you asked a prescribed organisation to obtain advice about whether there are manufacturers or producers in Australia of substitutable goods, or of potentially substitutable goods?

- YES Please attach a copy of the terms of the request and all advice received. If you have obtained a report from a prescribed organisation, you are not required to answer 6B.
- NO If you have not obtained a report from a prescribed organisation, you are required to answer 6B.

6B. SEARCHES OF THREE DIFFERENT DATABASES CONTAINED IN TRADE DIRECTORIES, PUBLIC SEARCH ENGINES OR WEBSITES LISTING AUSTRALIAN PRODUCTS

If you have not obtained a report from a prescribed organisation, you must make inquiries in at least three databases to locate the possible existence of Australian manufacturers or producers of goods that may be substitutable for the goods the subject of the TCO application. Examples of these databases may include trade directories such as Kompass, search engines such as Google, and websites listing Australian products such as www.australianmade.com.au. Please refer to ACN 2010/03 for guidance as to what Customs and Border Protection considers to be a reasonable search.

1 - Name of database: Google
 Search terms used in database: Australian Manufacturers Domestic Outdoor lighting

Please attach printouts of the search results. For search engines such as Google, please supply only the first three pages.

2 - Name of database: Australian Made
 Search terms used in database: Outdoor Lights

Please attach printouts of the search results. For search engines such as Google, please supply only the first three pages.

3 - Name of database: AliBaba
 Search terms used in database: Australian Manufacturers Domestic Outdoor lighting

Please attach printouts of the search results. For search engines such as Google, please supply only the first three pages.

6C. INDUSTRY ASSOCIATIONS

Has the applicant and/or importer made inquiries of industry associations in Australia representing suppliers, manufacturers of the goods that may be substitutable to those the subject of the TCO?

- YES Please attach a copy of the terms of the request and any response received.
- NO Please explain why you have not made enquiries.

No Associations known

7. NOTIFICATION OF POTENTIAL AUSTRALIAN MANUFACTURES

If any of the answers to questions 5 or 6 identified any potential local manufacturers of substitutable goods, please provide details of the inquiries that you undertook to notify those local manufacturers of your application and to seek advice as to whether they believe they manufacture any substitutable goods. Please refer to Australian Customs Notice 2010/03 for a suggested format of a letter to a potential local manufacturer of substitutable goods.

Please provide a copy of your request to each business. Please provide the business names, details of the contact that you made and all responses received at the time of lodging this application.

1 - Name and address of business:

N/A

Please provide a copy of your request to each business. Is the copy attached? YES NO

Please provide a copy of the response provided, if any. Is their response attached? YES NO

2 - Name and address of business:

Please provide a copy of your request to each business. Is the copy attached? YES NO

Please provide a copy of the response provided, if any. Is their response attached? YES NO

3 - Name and address of business:

Please provide a copy of your request to each business. Is the copy attached? YES NO

Please provide a copy of the response provided, if any. Is their response attached? YES NO

4 - Name and address of business:

Please provide a copy of your request to each business. Is the copy attached? YES NO

Please provide a copy of the response provided, if any. Is their response attached? YES NO

8. JUSTIFICATION FOR APPLICATION

Where potential Australian producers or manufacturers have been identified in questions 5, 6 or 7, please provide details as to why you believe that they do not produce substitutable goods in Australia in the ordinary course of business.

Please refer to the attached definitions for the legislative definitions of 'core criteria', 'substitutable goods', 'goods produced in Australia' and 'the ordinary course of business'.

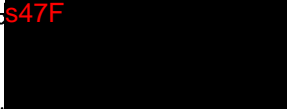
In March 2009 TC0906219 was lodged by Mercator Lighting Pty Ltd. This was approved and became a TCO.

Arlec import Bollard lights that are classified to heading 9405.40.00. It may have been the intention of this TCO

to cover these types of products however it was placed in heading 9405.10.00. We now wish to duplicate it in 9405.40.00

Please Note that in Feb 2010 TC0906219 was revoked and replaced with TC1008024

APPLICANT'S DECLARATION

I, s47F	Position Held s47F
Company: (if applicable) APC Logistics Pty Ltd	
declare that:	
<ol style="list-style-type: none"> 1. I have the authority to act on behalf of the company/applicant; 2. To the best of my knowledge and belief the information contained in this form including any attachments is correct; 3. I have ensured that questions 1 to 8 are completed and supporting documents are provided; and 4. I agree, in submitting this form by electronic means (including facsimile) that, for the purposes of Sub-section 14(3) of the Electronic Transactions Act 1999, this application will be taken to have been lodged when it is first received by an officer of Customs and Border Protection, or if by e-mail to tarcon@customs.gov.au, when it is first accessed by an officer of Customs and Border Protection, as specified in Sub-Section 269F(4) of the Customs Act 1901. 5. I have read the relevant Australian Customs Notice headed Applicant's Obligations in Making a TCO application and the definitions attached to this form and understand my obligations under Section 269FA with regard to the making and processing of Tariff Concession Order applications. 6. I acknowledge that I understand that under Section 269M(6) of the <i>Customs Act 1901</i> that at any time during the period of 150 days from the gazettal day, the CEO may, for the purpose of dealing with a TCO application, and despite section 16 of the Customs Administration Act 1985, give a copy of all, or of a part, of the application to a prescribed organisation with a view to obtaining the advice of the organisation in relation to the question whether there are any producers in Australia of sub s47F 	
Signature of Applicant/Agent/Broker: 	Date: 1/6/12

NOTE:

Section 234 of the Customs Act 1901 provides that it is an offence to make a statement to an officer that is false or misleading in a material particular.

Before lodging your form please ensure that you have attached the following:

- Attached IDM/Samples?
- Attached Local Manufacturer search results?
- Application signed & dated?
- Questions 1-8 answered?
- All enquiries requested undertaken?

When this form has been completed please lodge it with Customs and Border Protection by:

*posting it by prepaid post to:

Director
Tariff Concession Section
Trade Services Branch
Australian Customs and
Border Protection Service,
Customs House
5 Constitution Avenue
CANBERRA ACT 2601

OR

*delivering it to the ACT Regional Office located at:
Customs House, Canberra

OR

*sending it by facsimile to: (02) 6275 6376

OR

*e-mailing it to: tarcon@customs.gov.au

FOR OFFICE USE ONLY AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE STAFF**269(H) Screening the Application**

- Is the CEO satisfied that the application complies with Section 269F? YES NO
- Is the CEO satisfied that the applicant has discharged all responsibilities referred to in section 269FA? YES NO
- Is the CEO aware of any producer in Australia of substitutable goods? YES NO
- Are the goods on the Excluded Goods Schedule (Regulation 185)? YES NO
- Does a TCO already exist for these goods? YES NO

Information for applicants - some useful definitions from the Customs Act 1901**269B Interpretation**

substitutable goods, in respect of goods the subject of a TCO application or of a TCO, means goods produced in Australia that are put, or are capable of being put, to a use that corresponds with a use (including a design use) to which the goods the subject of the application or of the TCO can be put.

- (3) In determining whether goods produced in Australia are put, or are capable of being put, to a use corresponding to a use to which goods the subject of a TCO, or of an application for a TCO, can be put, it is irrelevant whether or not the first mentioned goods compete with the second mentioned goods in any market.

269C Interpretation - core criteria

For the purposes of this Part, a TCO application is taken to meet the core criteria if, on the day on which the application was lodged, no substitutable goods were produced in Australia in the ordinary course of business.

269D Interpretation - goods produced in Australia

- (1) For the purposes of this Part, goods, other than unmanufactured raw products, are taken to be produced in Australia if:
- the goods are wholly or partly manufactured in Australia; and
 - not less than $\frac{1}{4}$ of the factory or works costs of the goods is represented by the sum of:
 - the value of Australian labour; and
 - the value of Australian materials; and
 - the factory overhead expenses incurred in Australia in respect of the goods.
- (2) For the purposes of this Part, goods are to be taken to have been partly manufactured in Australia if at least one substantial process in the manufacture of the goods was carried out in Australia.
- (3) Without limiting the meaning of the expression substantial process in the manufacture of the goods, any of the following operations or any combination of those operations does not constitute such a process:
- operations to preserve goods during transportation or storage;
 - operations to improve the packing or labelling or marketable quality of goods;
 - operations to prepare goods for shipment;
 - simple assembly operations;
 - operations to mix goods where the resulting product does not have different properties from those of the goods that have been mixed.
- (4) For the purposes of this section, the CEO may, by instrument in writing published in the *Gazette*:
- direct that the factory or works cost of goods is to be determined in a specified manner; and
 - direct that the value of Australian labour, the value of Australian materials or the factory overhead expenses incurred in Australia in respect of goods is to be determined in a specified manner; and those directions have effect accordingly.
- (5) The provisions of sections 48 (other than paragraphs (1)(a) and (b) and subsection (2)), 48A, 48B, 49A and 50 of the *Acts Interpretation Act 1901* apply in relation to directions given under subsection (4) as if:
- references in those provisions to regulations were references to directions; and
 - references in those provisions to the repeal of a regulation were references to the revocation of a direction.

269E Interpretation - the ordinary course of business

- (1) For the purposes of this Part, other than section 269Q, goods (other than made-to-order capital equipment) that are substitutable goods in relation to goods the subject of a TCO application are taken to be produced in Australia in the ordinary course of business if:
- (a) they have been produced in Australia in the 2 years before the application was lodged; or
 - (b) they have been produced, and are held in stock, in Australia; or
 - (c) they are produced in Australia on an intermittent basis and have been so produced in the 5 years before the application was lodged;
- and a producer in Australia is prepared to accept an order to supply them.
- (2) For the purposes of this Part, goods that:
- (a) are substitutable goods in relation to goods the subject of a TCO application; and
 - (b) are made to order capital equipment;
- are taken to be produced in Australia in the ordinary course of business if:
- (c) a producer in Australia:
 - (i) has made goods requiring the same labour skills, technology and design expertise as the substitutable goods in the 2 years before the application was lodged; and
 - (ii) could produce the substitutable goods with existing facilities; and
 - (d) the producer is prepared to accept an order to supply the substitutable goods.
- (3) In this section:
- made-to-order capital equipment** means a particular item of capital equipment:
- (a) that is made in Australia on a one-off basis to meet a specific order rather than being the subject of regular or intermittent production; and
 - (b) that is not produced in quantities indicative of a production run.



Australian Government
Australian Customs and
Border Protection Service

Document #16

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Reply to the Chief Executive Officer

Quote: TC 1218915

Your Ref:

Australian Customs and
Border Protection Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601
Ph: (02) 6275 6666
Fax: (02) 6275 6376
Email: tarcon@customs.gov.au

22 August 2012

s47F

APC LOGISTICS PTY LTD
PO BOX 488
PORT MELBOURNE VIC 3207

Dear s47F,

TARIFF CONCESSION SYSTEM
APPLICATION SUCCESSFUL

I refer to your application for Tariff Concession Order (TCO) Number TC 1218915 lodged on 1 June 2012.

As a delegate of the Chief Executive Officer I am satisfied that the application meets the core criteria on the basis of section 269C of the *Customs Act 1901* and have accordingly made a written Tariff Concession Order.

The decision to make a TCO will be published in Gazette Number TC12/34 of 22 August 2012.

The TCO, as detailed in the attachment, will also be published in the Schedule of Concessional Instruments as soon as possible.

Yours sincerely,

s47F

for National Manager
Trade Services

Description of the Particular goods including the applicable subheading of the Customs Tariff	Schedule 4 Item Last day of effect
9405.40.00 LIGHTS, outdoor, non-ceramic except for insulators and connectors, with OR without movement and light sensor Op. 01.06.12 Dec. date 20.08.12 - TC 1218915	50

TARIFF CONCESSION ORDER

Under Section 269P of the Customs Act 1901, I, **s47F**, a delegate of the Chief Executive Officer declare that the goods specified in Column 1 of THE TABLE are goods to which the item in Part III of Schedule 4 to the Customs Tariff Act 1995 specified in Column 2 of THE TABLE applies. This Order shall have effect from 01.06.12 and continue in force until revoked under sections 269SC or 269SD of the Act, or the date, if any, specified in Column 2.

THE TABLE

COLUMN 1		COLUMN 2
Description of Goods including the	Customs Tariff Classification	Schedule 4 Item Number Last date of effect
9405.40.00	LIGHTS, outdoor, non-ceramic except for insulators and connectors, with OR without movement and light sensor	50
	Op. 01.06.12	- TC 1218915

This is page 1 of 1 Page of the above Table.

Dated 22 August 2012

.....
 Dele**s47F**.....
 Executive Officer

File Note

On 9 July 2014 I formed a belief, in accordance with s.269SD (1AA) that if certain Tariff Concession Orders (TCO) were in place today the CEO would not have made the TCOs. The relevant TCOs are:

TCO	Tariff Classification
1008024	9405.10.00
1218915	9405.40.00

The TCOs are worded as follows:

TC 1008024

LIGHTS, outdoor, non-ceramic except for insulators and connectors with OR without movement and light sensor

Stated use: outdoor lighting houses or outer buildings.

TC 1218915

LIGHTS, outdoor, non-ceramic except for insulators and connectors with OR without movement and light sensor

Stated use: illumination of outdoor areas.

On advice from an officer of Trade Policy and Negotiation I have formed the view that, in accordance with s.269SD(1AA) the CEO would not have made the TCOs today, being a **particular day** for the purpose of the legislation as the wording does not contain a full description of the goods. A full description of the goods is a mandatory requirement of s.269F(3) of the *Customs Act 1901*.

The wording of goods requires the insulators and connectors to be "not non-ceramic", or in other words, ceramic. Ceramic is non-conductive so it is not possible to have goods described as light with non-conductive connectors. Clearly a light must have a conductive connector, so the wording does provide a full description of the goods the subject of the TCO.

s47F

Delegate of the Chief Executive Officer
9 July 2014

No submission received
TCO revoked 11/8/14,
effective 9/7/14 for the
above reasons.

s47F

s47F

s47F

s47F

11/8/14

TARIFF CONCESSION REVOCATION ORDER

For Section 269SD(1ab) of the Customs Act 1901, I **S47F** a delegate of the Chief Executive Officer revoke Tariff Concession Order Number 1218915 made on 20.08.12, in respect of the goods described in the TABLE below. The Revocation has effect from 09.07.14.

THE TABLE

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COLUMN 1 Description of Goods including the Customs Tariff Classification	COLUMN 2 Schedule 4 Item Number Last date of effect
9405.40.00 LIGHTS, outdoor, non-ceramic except for insulators and connectors, with OR without movement and light sensor Op. 01.06.12	50 08.07.14
- TC 1218915	

This is page 1 of 1 Page of the above Table.

Dated 11 August 2014

S47F
[Redacted Signature]

.....
Delegate of the Chief Executive Officer