



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.

1 Hours 20 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 GENERAL PETROLEUM OIL TOOLS PTY LTD		Australian Business Number (A.B.N.) 76 072 433 973
Postal Address PO BOX 434 CARINA QLD 4152		
Applicant's Reference N/A		Owner Code (if applicable)
Company Contact S47F	Position Held S47F	
Telephone Number S47F	Facsimile Number 07 3823 3317	E-mail Address gput@bigpond.net.au

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 9 JAN '08 13:45		
Importer's Reference		Owner Code
Company Contact		Position Held
Telephone Number		Facsimile Number

B443 (JUN 2001)

AGENT/BROKER DETAILS (if applicable)

Agent's Name <i>AURORA GLOBAL LOGISTICS Pty Ltd</i>		ABN. <i>50097 144 548</i>
Postal Address <i>Pc Box 384 HAMILTON QLD 4007</i>		
Agent's Reference <i>IGENPET</i>		Agency Contact S47F [REDACTED]
Telephone Number S47F [REDACTED]	Facsimile Number <i>07 3245 0111</i>	E-mail Address S47F [REDACTED] <i>aurora@logistics.com</i>

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

SUCKER RODS, diameter 25.4mm (1"), length 7.62m (25ft)

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)

Identify the General Duty rate %

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.

The goods are a steel pumping rod used to make up the mechanical assembly between the surface and downhole components of a rod pumping system in oil and/or gas well drilling applications (see illustration)

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.

Refer email attached from Sam Castellano, General Petroleum Co. Tariff/L with respect to searches/findings for local manufacturers or substitutable goods.

We further conducted inquiries with an industry body and possible local manufacturers to determine if sucker rods or substitutable goods were manufactured. The results from all inquiries found that there were no local manufactures of sucker rods or substitutable goods. Please see attached listing.

- 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.

Refer Tariff Concession Order 9809842 (op. date 05.11.98)

We further consider that due to both the length of time the concession has been in order and that the sucker rods applicable to the concession only differ in diameter width that this would strongly re-affirm that there are no substitutable goods produced in Australia.

DESCRIBED 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.

Refer tariff precedent 05052200 for tariff classification (attached).

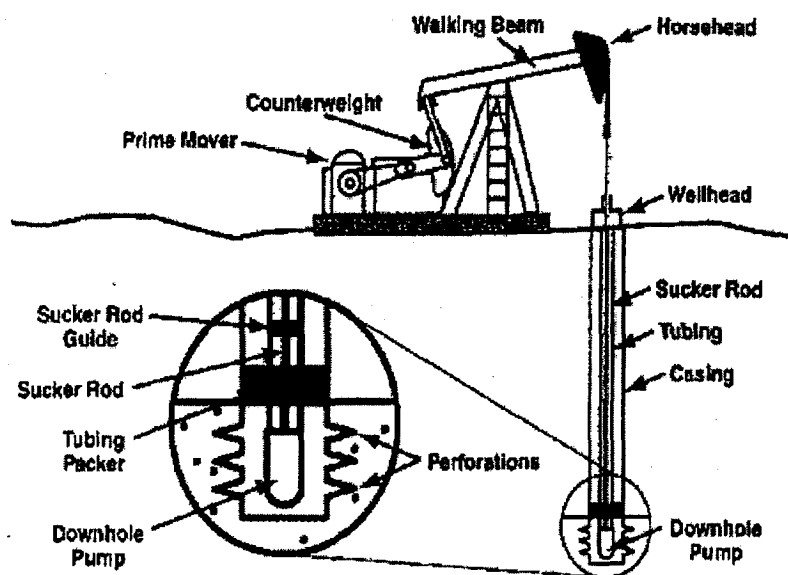
DECLARATION

I, s47F	Position Held s47F
Company (if applicable) AURORA GLOBAL LOGISTICS PTY LTD	
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 8/1/09

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.





09/01/2009

Searches, for local manufacturers/substitutable goods

Boart Longyear,
Born Drilling,
AFKOS Industries,
Werner Tool Company,
Age Development,
Asahi Diamond Industrial,
Petromaterials Aust Pty,
Orrcon Operations Pty Ltd,
West Rod Engineering,

Australian Drilling Industry
Association,

S47F



Aurora Global Logistics Pty Ltd
Unit 3, 1 Wyuna Court
Hemmant, QLD 4174 Australia
PO Box 384
Hamilton QLD 4007 Australia

Telephone +61 7 3295 0100
Facsimile +61 7 3295 0111

www.auroralogistics.com
E-Mail: S47F@auroralogistics.com

All business is transacted subject to our general trading conditions, copies of which are available on request.

IMPORTANT: The contents of this facsimile (including attachments) may be privileged and confidential. Any unauthorised use of the contents is expressly prohibited. If you have received the document in error, please advise us by telephone immediately and then shred the document. Thank you.

Released by DIBP under the
Freedom of Information Act 1982

s47F

From: General Petroleum Oil Tools Pty Ltd [gpot@bigpond.net.au]
Sent: Friday, 9 January 2009 6:56 AM
To: s47F
Subject: Tariff Concession Application
Attachments: _AVG certification_.txt

s47F

1. Petro materials are Chinese made and the website you refer to are only an agent for the Chinese company.
 2. Unable to provide any correspondence with local manufacturers as I have been unable to find any local manufacturers.
 3. Search Engine results with " Sucker rods Australian Made "
 - a. Alibaba.com – Found 1 x match only for a company called <http://www.petrostuff.com.au/index.html> (Petro Materials) these are Chinese made and have a sales agent only in Australia.
 - b. http://www.searchengineguide.com/pages/Business/Mining_and_Drilling/index.html - Found No match to local suppliers
 - c. <http://www.zibb.com/> - Found no match to local suppliers
 - d. <http://www.steelonthenet.com/search.html> - Found no match to local suppliers
 - e. <http://www.google.com.au/webhp?sourceid=navclient&ie=UTF-8> – found no match to local suppliers
- As we have discussed before all sucker rods are made in Canada, USA, China and Brazil in searching the above Search Engines I found no direct or indirect link or reference to Australian made (Substitutable).
- The only difference from the current concession # 9809842 is the 1" Sucker Rod have a larger diameter. This product is used in exactly the same application as the 5/8" and 3/4" sucker rods are.

Please advise if I need to provide any more information.

Regards

s47F

9/01/2009

Page 1 of 1

Tariff Code: **8 413.91.10**
Precedent ID: **05052200**
Status Date: **02/04/91**
InstrumentN o: **N one**
Sucker rods being pump parts.

=====

Identified as a pumping rod. HSEN to 8413 para. re "Parts" refers.
Chg. Date: 20/01/06

28

Page 1 of 1

Tariff Code: **8 413.91.10**
Reference No: **9809842**
Schedule4 Item: **5 0**

SUCKER RODS, diameter 15.8 mm to 22.3 mm (5/8" to 7/8"), length
7.62 m (25 ft)

Op. 05.11.98

Dec. date 15.01.99 - TC 9809842 50

13

Description of Goods including the
Customs Tariff Classification

Schedule 4 Item Number

8413.91.10

SUCKER RODS, diameter 25.4mm (1"), length 7.62m (25ft).
Op. 09.01.09

NOT Greater than 7.62m

50

- TC 0900116

Stated Use:

Used to make up the mechanical assembly between the surface and
the downhole components of a rod pumping system

s22(1)(a)(ii)

16/1

Applicant: General Petroleum Oil Tools

Notes

TCOs existing

YES NO

Tariff Advice

YES NO

Q5

B 7

LM Research

B 5-6

IDM

B 7

Please check words and use

I spoke to [REDACTED] who
is going to speak to [REDACTED]
on Tuesday 27/1/09
regarding specifications

s47F

s47F

s47F

s22(1)(a)(ii)

22/1/09

s22(1)(a)(ii)

15/01/09

s22(1)(a)(ii)

Trade Services Branch

I rang + spoke to [REDACTED]
[REDACTED] who will forward
me specifications of
the Sucker Rods.

s47F

s47F

s22(1)(a)(ii)

27/1/09.

MINUTE PAPER
CENTRAL OFFICE

TR5

TC Number 0900116

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

TC Officer: _____

OP Date: 09-Jan-09

APPLICANT: Petroleum Oil Tools

GOODS: Sucker Rods

CLAIMED CLASSIFICATION: 8413.91.10

Date to Classification Section: _____

Required Return Date: Date to Class plus 3 _____

TA No. & CLASSIFICATION: _____

CLASSIFICATION DECISION:

8413	91	10
------	----	----

 ✓

IS TCO RESTRICTED BY REG. 185? No

GENERAL DUTY
RATE:

5%

IDENTIFICATION OF GOODS:

Sucker rods

HEADINGS CONSIDERED: 8413

COMMENTS AND CHAPTER NOTES: IR1+6. Goods are part of an oil and gas well pump. HSEN Note for 8413 directs these goods to be classed under this heading.

RETURNED TO TARIFF CONCESSIONS BY:

NAME & DATE:

s22(1)(a)(ii)

16/1/09

15

How Oil Drilling Works

by Craig Freudenrich, Ph.D.

[More Science Videos »](#)

Extracting the Oil

After the rig is removed, a pump is placed on the well head.

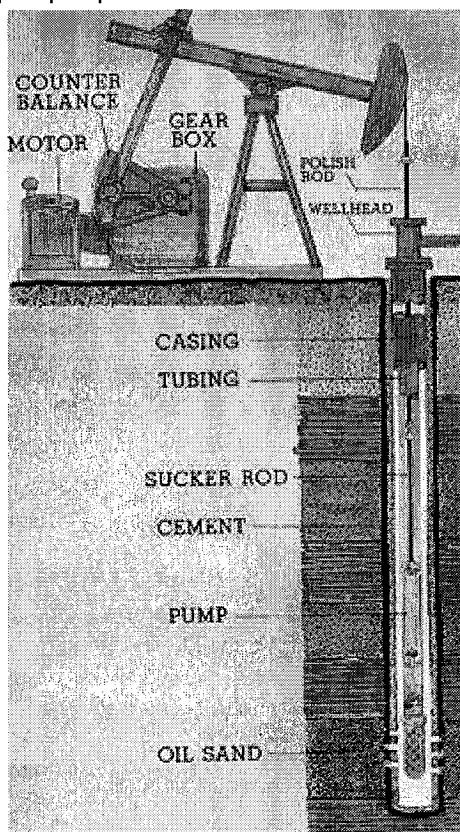


Photo courtesy [California Department of Conservation](#)

Pump on an oil well

In the pump system, an **electric motor** drives a **gear box** that moves a **lever**. The lever pushes and pulls a **polishing rod** up and down. The polishing rod is attached to a **sucker rod**, which is attached to a **pump**. This system forces the pump up and down, creating a suction that draws oil up through the well.

In some cases, the oil may be too heavy to flow. A second hole is then drilled into the reservoir and steam is injected under pressure. The heat from the steam thins the oil in the reservoir, and the pressure helps push it up the well. This process is called **enhanced oil recovery**.

(17)

s22(1)(a)(ii)

From: s47F
Sent: Wednesday, 28 January 2009 15:12
To: s22(1)(a)(ii)
Subject: Tariff Concession Application - Rewording (Sucker Rods)
Attachments: Sucker Rods.pdf

Hi s22(1)(a)(ii)

Further to our conversation yesterday, please reword tariff concession application as follows:-

SUCKER RODS, having BOTH of the following:

- (a) diameter NOT greater than 25.4mm (1")
- (b) length NOT greater than 7.62m (25 ft)

With regards to the imperial measurements in brackets, our client advises that industry generally refers to sucker rods sizes in imperial measure. I have attached document for example. If the concession can be worded with the imperial measurements it may assist in referencing to tariff concession claims should the concession be made.

If you require any further information please contact me.

Regards

s47F

Aurora Global Logistics Pty Ltd
Dockwise Yacht Transport B.V
3/1 Wyuna Court
Hemmant
Queensland 4174
Australia

Tel: + 61 7 3295 0100

Fax: + 61 7 3295 0111

Cell: s47F

s47F @auroralogistics.com

www.auroralogistics.com

www.yacht-transport.com.au

Released by DIBP under the
Freedom of Information Act 1982

28/01/2009

(16)

s47G

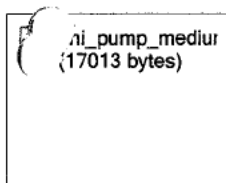


s47F

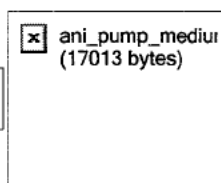


Signature

Released by DIBP under the
Freedom of Information Act 1982



☒ title-reports.jpg (7248 bytes)



SUCKER ROD PUMP

QUESTIONS OR COMMENTS

s47F

MAIN FUNCTIONAL REQUIREMENT: Draw subterranean fluid to surface.

DESIGN PARAMETER: Sucker Rod Pump

Pump consisting of four bar linkage, plunger, and valve assemblies.

GEOMETRY/STRUCTURE:

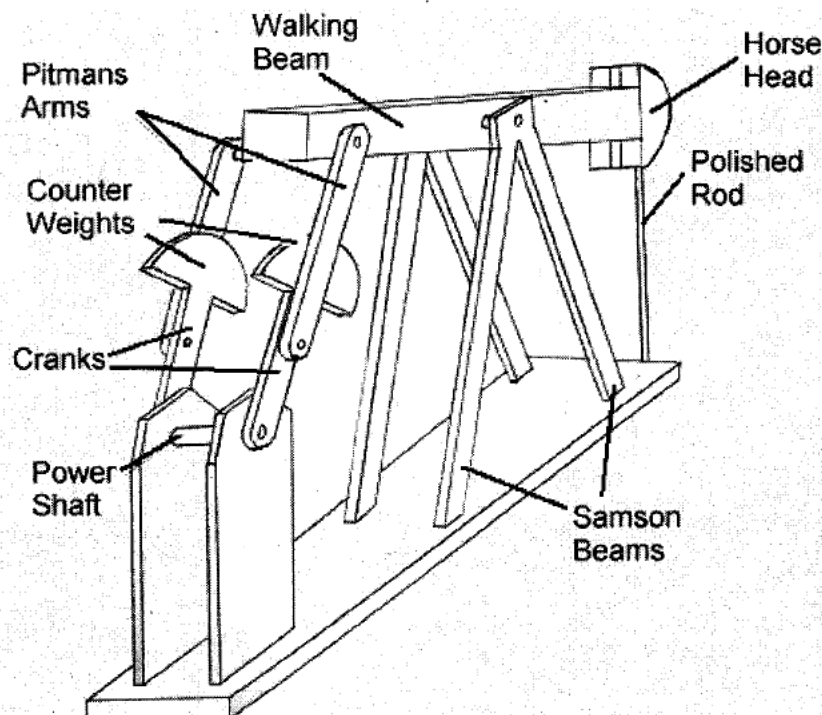


Figure A Components of Sucker Rod Pump

A motor and gearbox supply power to turn the power shaft. There is a counterweight at the end of the crank. A pitman arm is attached to the crank and it moves upward when the crank moves counterclockwise. The Samson arms support the walking beam. The walking beam pivots and lowers or raises the plunger. The rod attaches the plunger to the horsehead. The horsehead (not rigidly attached) allows the joint (where rod is attached) to move in a vertical path instead of following an arc. Every time the plunger rises, oil is pumped out through a spout. The pump consists of a four bar linkage is comprised of the crank, the pitman arm, the walking beam, and the ground.

Released by DIBP under the
Freedom of Information Act 1982

EXPLANATION OF HOW IT WORKS/ IS USED:

Crank Shaft & Pitman Arm In-Line

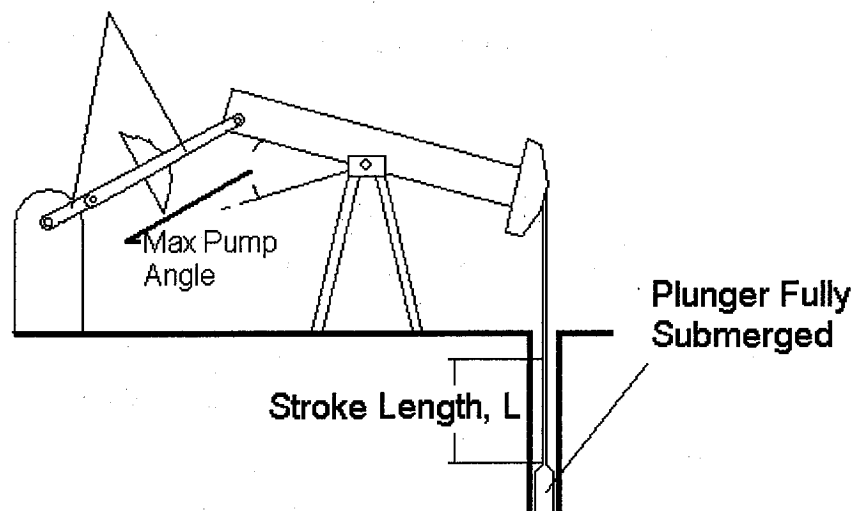


Figure B: Operational Detail of Sucker Rod Pump

Here the plunger is shown at its lowest position. The pitman arm and the crank are in-line. The maximum pumping angle, denoted as θ in the calculations, is shown. L is the stroke length. After one stroke, the plunger moves upward by one stroke length and the walking beam pivots. The crank also rotates counterclockwise. At the end of the upstroke the pitman arm, the crank, and the walking beam are in-line.

For name and location of parts, see Figure A.

1. A motor supplies power to a gear box. A gearbox reduces the angular velocity and increases the torque relative to this input.
2. As shown in Figure B, (the crank turns counterclockwise) and lifts the counterweight. Since the crank is connected to the walking beam via the pitman arm, the beam pivots and submerges the plunger. Figure B also shows the horsehead at its lowest position. This marks the end of the down stroke. Note that the crank and the pitman arm are in-line at this position.
3. The upstroke raises the horsehead and the plunger, along with the fluid being pumped. The upstroke begins at the point shown in Figure B. At the end of the upstroke, all joints are in-line. This geometric constraint determines the length of the pitman arm.
4. Figures C(a) and C(b) show the plunger and ball valves in more detail. These valves are opened by fluid flow alone. On the upstroke, the riding valve is closed and the standing valve is open. Fluid above and within the plunger is lifted out of the casing while more fluid is pumped into the well. On the down stroke, the riding valve is opened and the standing valve is closed. Fluid flows into the plunger and no fluid is allowed to leave the well.

Released by DIBP under the
Freedom of Information Act 1982

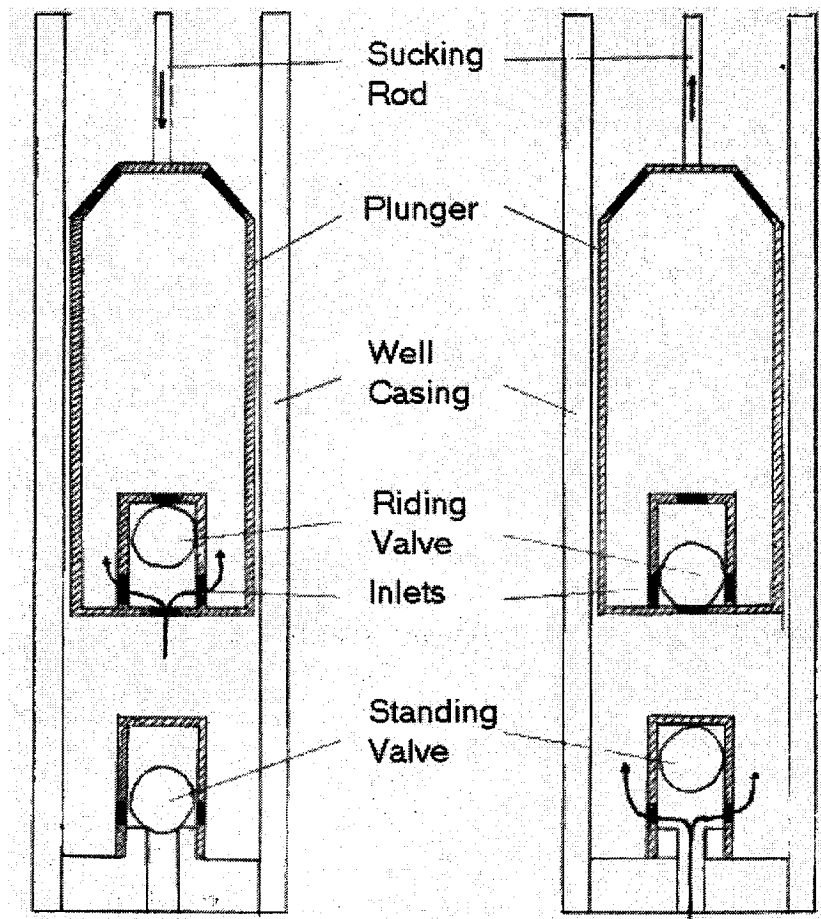


Figure C(a)

Figure C(b)

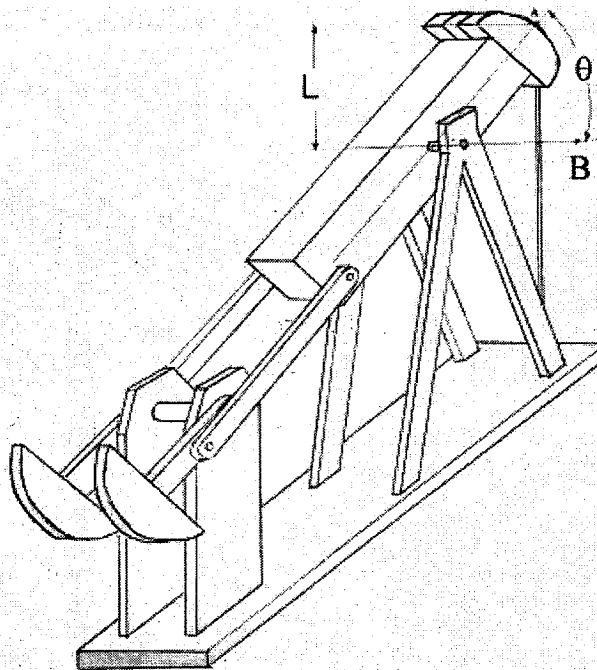
DOMINANT PHYSICS & DESIGN:

Figure D: Variable Descriptions For SRP

Table 1: Variable Descriptions, Values and Units

2.972 How a Sucker Rod Pump (Oil Well Pump) Works

Page 4 of 6

20

<u>Variable</u>	<u>Description</u>	<u>Typical Value</u>	<u>Units</u>
θ	Full Pump Angle	---	degrees
F _I	Total Force Pump must exert	---	lbs
F _f	Weight of Fluid	---	lbs
F _r	Weight of the Rods	---	lbs
F _c	Weight of counterweight	---	lbs
F _b	Buoyant force on rods	---	lbs
w	Rod weight per unit length	---	lbs/ft
L _r	Length of one rod	25 - 30 [§]	ft
N _r	Number of Rods	---	---
P _i	Input Power	4000 ^{§§}	psi
h	Depth of Well	10,000 ^{§§§}	ft
ρ	Fluid Density	---	lbm/in ³
g	Gravitational Acceleration Constant	~9.8	m/s ²
L	Stroke Length	16 - 192 ^{§§§§}	in
T	Required Pumping Torque	6,400 - 912,000 ^{§§§§§}	in-lb
V _f	Fluid Volume per Stroke	---	ft ³
A _r	Rod Cross sectional area	---	psi
S _y	Yield Strength of Rod	---	psi
A _p	Plunger Cross Sectional Area	---	psi

§ Reference 1, pp. 9.279

§§ Reference 1, pp. 9.277

§§§ Reference 1, pp. 9.277

§§§§ Reference 1, pp. 9.282

§§§§§ Reference 1, pp. 9.282

To design a sucker rod pump, the depth of the well must first be determined. This value is then used to calculate the amount of fluid that can be pumped per stroke. This amount is the volume of fluid that fits in a cylinder of height L and cross sectional area A_p.

$$V_f = A_p L$$

This volume is then multiplied by the density of the fluid and by the g to find the weight of the column of fluid the pump must lift.

Released by DIBP under the
Freedom of Information Act 1982

(A)

$$F_f = M_f \rho g$$

The pump must also provide enough power to lift the sucker rods (see Figure A). Manufacturers specify typical values of weight per unit length, w , for the rods they make. This number is multiplied by the length of one rod, L_r , and by the number of rods, N_r .

$$F_r = w L_r N_r$$

Since the rods are submerged in fluid, a buoyant force is present. This force is found using Archimedes' Principle. It states that the buoyant force a submerged object feels is equal to the weight of the fluid it displaces. Therefore, the volume of displaced fluid is equal to the submerged volume of the rods. The weight of this fluid is equal to this volume multiplied by the fluid's density and g . To obtain the volume of the rods, we multiply their cross sectional area by their total length.

$$F_b = A_r N_r L_r \rho g$$

Now the total load the pump must lift can be calculated.

$$F_l = F_f + (F_r - F_b)$$

Two things must be noted. First, the above analysis is very rough and does not include additional factors such as impulse forces. For more detail, see Reference 1, page 9.283. Also, the forces described above vary with time and this must be taken into account.

The stroke length of the pump is the vertical distance the plunger travels in one stroke. This length depends on the amount of fluid being pumped. Once the stroke length is known, the geometry of the four bar linkage can be determined. To avoid excessive wear of the machinery, it is good engineering practice to reduce the number of cycles the pump completes per unit of time. In order to do this more fluid should be pumped per cycle. In order to increase the fluid displacement, the stroke length should be maximized. Typical values for stroke length vary from 16 to 192 inches (see Reference 1, pp. 9.282). The stroke length can be used to calculate the torque required to pump the oil according to the following formula.

$$T = C L F_l$$

Here, C is a function of the geometry of the four bar linkage and the force the counterweight exerts on the crank (see Reference 1, pp. 9.283). Typical values for torque range from 6,400 to 912,000 in-lb (see Reference 1, pp. 9.282).

On the upstroke, two forces help pump the oil from the well. The first is the "force" supplied from the torque produced by the motor and gearbox. The second force comes from the weight of the counterweight as it falls (see Figure C).

LIMITING PHYSICS:

Care must be taken to choose a cross sectional area large enough so that the rods do not yield. This area can be found by dividing the total tensile load by the yield stress of the material.

$$A_y = F_l / S_y$$

The area of the rods must be greater than this area. This is a minimum. Fatigue affects (function of material and loading) will require a larger value.

EFFICIENCY:

The efficiency of the sucker rod pump can be defined as the volume of oil it actually pumps divided by the volume it can theoretically pump. When the well is initially drilled, the oil contains a lot of gas. This gas displaces a small volume of oil at the beginning. This volume decreases eventually. The volumetric efficiency of this type of pump is rated at about 80%. (see Reference 1, pp. 9.277)

PLOTS/GRAPHS/TABLES:

None Submitted

WHERE TO FIND SUCKER ROD PUMPS:

Sucker rod pumps are used primarily to draw oil from underground reservoirs. The mechanisms it employs however are found in a wide variety of machines. The four bar linkage can be found on door dampers, on automobile engines, and on devices such as the lazy tong. The Sterling engines manufactured in 2.670 also use a linkage similar to the one used by the pump.

REFERENCES/MORE INFORMATION:

- 1) Karassik, Igor J. et al, **Pump Handbook**. pp. 9.278-9.285, McGraw-Hill, New York, 1986.
- 2) Sucker Rod Pump (From the Internet Glossary of Pumps)

URL: <http://www.animatedsoftware.com/pumpglos/suckerro.htm>

ADMINISTRATIVE: [Home](#) | [General Info](#) | [Syllabus](#)

STUDENT RESOURCES: [Gear Pump Resources](#) | [Workshops](#) | [Labs](#) | [Field Trips](#) | [Final Reports](#) | [Design Tools](#)

MISCELLANEOUS: [Students](#) | [Prizes](#) | [Machine Gallery](#) | [Class Gallery](#) | [Comments](#) | [Links](#) | [Sponsors](#)

© MARTIN L. CULPEPPER 1998 & 1999

Released by DIBP under the
Freedom of Information Act 1982

(26)

s22(1)(a)(ii)

From: s47F
Sent: Thursday, 29 January 2009 11:51
To: s22(1)(a)(ii)
Subject: RE: Tariff Concession Application - Rewording (Sucker Rods)

Good morning s22(1)(a)(ii)

Further to our last conversation, we would like to proceed with the final wording as per recommendation from the policy section.

PARTS, OIL AND GAS WELL PUMP, being sucker rods

Many thanks for your assistance.

Regards

s47F
Aurora Global Logistics

From: s47F
Sent: Wednesday, 28 January 2009 2:12 PM
To: s22(1)(a)(ii)@customs.gov.au
Subject: Tariff Concession Application - Rewording (Sucker Rods)

Hi s22(1)(a)(ii)

Further to our conversation yesterday, please reword tariff concession application as follows:-

SUCKER RODS, having BOTH of the following:

- (a) diameter NOT greater than 25.4mm (1")
- (b) length NOT greater than 7.62m (25 ft)

With regards to the imperial measurements in brackets, our client advises that industry generally refers to sucker rods sizes in imperial measure. I have attached document for example. If the concession can be worded with the imperial measurements it may assist in referencing to tariff concession claims should the concession be made.

If you require any further information please contact me.

Regards

s47F

Aurora Global Logistics Pty Ltd
Dockwise Yacht Transport B.V
3/1 Wyuna Court
Hemmant
Queensland 4174
Australia

Released by DIBP under the
Freedom of Information Act 1982

29/01/2009

28

Tel: + 61 7 3295 0100

Fax: + 61 7 3295 0111

Cell: +61 7 3295 0111

s47F@auroralogistics.com

www.auroralogistics.comwww.yacht-transport.com.au

Released by DIBP under the
Freedom of Information Act 1982

s22(1)(a)(ii)

From: s22(1)(a)(ii)
 Sent: Tuesday, 17 February 2009 09:16
 To: s22(1)(a)(ii)
 Cc:
 Subject: RE: TA 19232800 - Sucker Rods [SEC=UNCLASSIFIED]

Security Classification: UNCLASSIFIED

Hi s22(1)(a)(ii)

Wikipedia is not a reliable authority (or an authority at all for that matter) as it can be written by anyone, the MacQuarie is recognised by the courts, it defines mining as

mining

/ (say 'muyning)

noun 1. the action, process, or industry of extracting ores, etc., from mines.

(2. the action of laying explosive mines. [*mine*² + *-ing*¹*mine*²

and Mine/ (say muyn)

noun 1. an excavation made in the earth for the purpose of getting out ores, precious stones, coal, etc.

2. a place where such minerals may be obtained, either by excavation or by washing the soil.

3. a deposit of such minerals, either under the ground or at its surface.

In the HSEN to 8430 (iii) (D) it differentiates between mining and oil well prospecting.

Our view is that drilling for oil is not mining, mining is the process of extracting ores etc by excavating the earth as over above

regards

s22(1)(a)(ii) | Australian Customs and Border Protection Service | s22(1)(a)(ii)
 039244 8680 | s22(1)(a)(ii) customs.gov.au



Please consider the environment before printing this e-mail

From: s22(1)(a)(ii)
Sent: Monday, 9 February 2009 11:40
To: s22(1)(a)(ii)
Cc:
Subject: TA 19232800 - Sucker Rods [SEC=UNCLASSIFIED]

Hi s22(1)(a)(ii)

I have a query about TA 19232800 concerning sucker rods being classified to 8413.91.90 "other" instead of 8413.91.10 "specially designed for use in the mining or metallurgical industries". The sucker rods are parts of an oil and gas well pump. I believe that the goods should be classified to 8413.91.10 as I consider an oil and gas well pump to be used in the mining industry as oil and gas pumping is a form of mining. Wikipedia gives the following definition of mining:

Mining is the extraction of valuable minerals or other geological materials from the earth, usually from an ore body, vein or (coal) seam. Materials recovered by mining include base metals, precious metals, iron, uranium, coal, diamonds, limestone, oil shale, rock salt and potash. Any material that cannot be grown through agricultural processes, or created artificially in a laboratory or factory, is usually mined. Mining in a wider sense comprises extraction of any non-renewable resource (e.g., petroleum, natural gas, or even water).

To further support this Tariff precedent 5052200 directs sucker rods to be classified to 8413.91.10. There is also an earlier TA (16776700) for sucker rods which classified them to 8413.91.10.

The reason for me raising this query is that I have a TCO application for the goods subject of TA 19232800 and there is already an existing TCO for these goods which classified them to 8413.91.10 so I'd be looking at rejecting the current TCO application.

Could you please let me know your thoughts on the classification of these goods. The TCO is on Day 7 today so we have a bit of time up our sleeve so can you please get back to me early next week.

Thanks

s22(1)(a)(ii)

s22(1)(a)(ii)

Tariff Classification Review
Trade Services Branch
Ph s22(1)(a)(ii)
Fax 6275 6471



Australian Government
Australian Customs and
Border Protection Service

MINUTE PAPER

Central Office

File No: 2009/000116

I considered oil and gas well drilling to be mining and classified the goods to 8413.91.10. Another TCO application (0903235) was lodged a month later for similar goods. A TA also was provided and it considered oil and gas well drilling not to be mining. In re-examining this it is decided that the correct classification should be 8413.91.90 and this TCO should be revoked and reissued.

s22(1)(a)(ii)

17/2/2009

Broker Notified
today of Change
of Class

s22(1)(a)(ii)

17/2/08

(HARBENT 05052200)

Description of Goods including the
Customs Tariff Classification

Schedule 4 Item Number

8413.91.90 PARTS, OIL AND GAS WELL PUMP, being sucker rods
Op. 09.01.09

50
- TC 0900116

Stated Use:

To make up the mechanical assembly between the surface and
the downhole components of a rod pumping system

Applicant:

GENERAL PETROLEUM

Noted that the TRO

changed to 8413.91.10

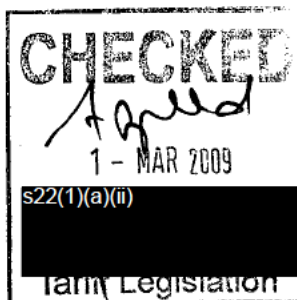
Class is 8413.91.90

I understand the TRO

to be repeated and replaced

with 09/03235

Subject to the above wording
is OK



(Note: 09/03235 was withdrawn).

Description of the Particular goods including the applicable subheading of the Customs Tariff	Schedule 4 Item Last day of effect
<div data-bbox="134 255 1235 313">8413.91.90 PARTS, OIL AND GAS WELL PUMP, being sucker rods Op. 09.01.09 Dec. date 17.04.09 - TC 0900116</div>	50

Released by DIBP under the
Freedom of Information Act 1982

TARIFF CONCESSION ORDER

Under Section 269P of the Customs Act 1901, I, s22(1)(a)(ii) 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 09.01.09 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
8413.91.90	PARTS, OIL AND GAS WELL PUMP, being sucker rods	50
	Op. 09.01.09	- TC 0900116

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

Dated 17 April 2009

s22(1)(a)(ii)

Delegate of the Chief Executive Officer

Released by DIBP under the
Freedom of Information Act 1982

EXPLANATORY STATEMENT

Tariff Concession Instrument No. 0900116

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 by the Chief Executive Officer of Customs (the CEO). A lower rate of customs duty applies to goods that are the subject of a TCO.

Under section 269F of the Act, a person may apply to the CEO for a TCO in respect of goods. If the CEO is satisfied that the application is not in respect of goods specified in section 269SJ of the Act, which sets out those goods that cannot be subject to a TCO, the CEO must decide whether the application meets the core criteria.

Section 269C of the Act provides that a TCO application meets 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. Section 269B of the Act provides that 'goods produced in Australia' has the meaning given by section 269D, 'ordinary course of business' has the meaning given by section 269E and 'substitutable goods' in respect of goods the subject of a TCO application, 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 can be put.

Subsection 269P(3) of the Act provides that if the CEO is satisfied that a TCO application meets the core criteria, the CEO must make a written order (a TCO) declaring that the goods the subject of the TCO application are goods to which a prescribed item of Schedule 4 to the *Customs Tariff Act 1995* (the Tariff) specified in the order applies.

General Petroleum Oil Tools applied for a TCO in respect of certain sucker rods on 09 January 2009.

Instrument

TCO No 0900116 was made on 17 April 2009. It declares that those certain sucker rods are goods to which item 50 of Schedule 4 to the Tariff applies since the CEO was satisfied that no substitutable goods were produced in Australia. The general rate of duty on these goods is 5%. The rate of duty for the goods subject to the TCO is free.

Consultation

Subsection 269K(1) of the Act provides in part that as soon as practicable after accepting a TCO application as a valid application, the CEO must publish a notice in the Gazette which includes an invitation to any person who considers that there are reasons why the TCO should not be made to lodge a submission with the CEO. The CEO did not receive any submissions in response to this invitation.

Commencement

Subsection 269S(1) relevantly provides that a TCO is to be taken to have come into force on the day on which the application for the TCO was lodged. TCO No. 0900116 is taken to have come into force on 09 January 2009.

The TCO does not affect the rights of a person (other than the Commonwealth) as at the date of registration so as to disadvantage that person or impose liabilities on a person (other than the Commonwealth) in respect of anything done or omitted to be done before the date of registration. The rights of importers will be beneficially affected. Under paragraph 126(1)(r) of the Regulations, importers of such goods will be able to apply for a refund of duty on goods imported since the day on which the TCO is taken to have come into force. The TCO does not impose any liabilities on any person.

52.

Tariff Ref: 8413.91.10

Part 1 - Tariff Concessions

Description of Goods

Chapter: 84

SUCKER RODS, diameter 15.8 mm to 22.3 mm (5/8" to 7/8"), length
7.62 m (25 ft)

Op. to 31/12/9999

Dec. date 05/11/1998

- TC 9809842 50

OP 09.1.2009

2009/000116 - 8413.91.90. ~~Feb 2009~~.

TA 20854300 - 14/11/13 - Sucker Rods.

Claimed 8413.91.10

Decision TCO 09 000116 Keyed 8413.91.90
(6/2/14)

Request for review - 3/2/14

Date of precedent - 2/4/91.

Released by DIBP under the
Freedom of Information Act 1982

55

Tariff Precedent Number : 5052200

Type : 5 Date last Changed : 8/10/2009
Description of Goods : Sucker rods being parts for pumps designed for mining or metallurgical industries.
Heading : 8413.91.10
Reason : Identified as a pumping rod. HSEN to 8413 para. re "Parts" refers.
Advice Status : F Date : 2/04/1991
Changed Status : V Date : 8/10/2009 Code : G
Other (Details attached)

Inst No :

Released by DIBP under the
Freedom of Information Act 1982

58.

Note for file 2009/000116-01

I am satisfied that a suitable case exists to revoke TCO0900116, for *Parts, oil and gas field pump, being sucker rods*, and reissue it with a revised tariff classification.

I have viewed a submission from the National Trade and Advice Centre which advises its belief that the existing classification of 8413.91.90 is incorrect, and needs to be amended to 8413.91.10.

I have viewed tariff precedent 26/7/2011 that provided clarification on the term "mining" as it relates to the Harmonised Tariff, and which is consistent with the advice from NTAC.

I note that another TCO 9809842, also for sucker rods, was and always has been classified to 8413.91.10.

Although sucker rods can be used in mining and non-mining pumps, the wording of TCO 0900116 describes the term PARTS, OIL AND GAS WELL PUMP. Thus the wording is consistent with the precedent's view of mining.

I am satisfied that the classification of the TCO therefore needs amendment because the classification is not consistent with the TCO wording.

As users of the TCO are entitled to believe the original classification has been correct, the risk that they could be penalised or otherwise disadvantaged should be avoided by not back-dating the operative date. Thus the particular day of revocation should be today, i.e. the day on which I as delegate of the CEO was satisfied that the classification was incorrect.

I have contacted the broker of the original applicant, General Petroleum, to advise. That company, Southern Cross Cargo Pty Ltd, has no objection.

s22(1)(a)(ii)

Delegate of the Chief Executive Officer

(P/N 12730)

15/4/14.



Australian Government
Australian Customs and
Border Protection Service

112

TAPIN

Tariff Advice Application Number 20854300

Tariff Advice Details:

Previous Tariff Advice Number	0
Status	FINALISED
Changed Status	APPEALED BY APPLICANT
Type	TARIFF CONCESSION ORDER ADVICE
State	NSW
Confidential	NO
Input Date	13 NOV 2013

Company and Contact Details:

Importer	NATIONAL-OILWELL PTY. LTD.	
Importer ABN / CAC	24010717398	CCID
Supplier	TECHNOLOGY DEVELOPMENT AND EQUIPMENT SUPPLY LTD	
Supplier ABN / CAC		CCID CCR3974343K
Applicant	FAL CONSULTING PTY LTD	
Applicant ABN / CAC	74154809355	CCID
Applicant Contact Name	s47F	
Applicant Phone	s47F	Fax 02 9528 2229
Applicant Reference	PONY RODS	
Broker Box No		

Goods Details:

Goods Description	Pony rods, being a short type of sucker rod usually placed below the polished rod and used to make a rod string of a desired length. Pony rods are manufactured to the same chemical properties, rod diameters, dimensions, and tolerances as sucker rods
Claimed Tariff Classification	8413.91.10
Claimed Instrument	0900116
Claimed Schedule 4 Item	50
Claimed Reasons	IR1. TOH. Goods are identified as a type of sucker rod as per technical material attached. Sucker/pony rods make up the rod string which is a part of an oil and gas well pump. Headings considered: 8413. No other headings deemed appropriate. Sub heading: 84139110 vide IR6. TCO is considered to apply.

Lodgement Details:

Lodge Date 14 NOV 2013



Australian Government
Australian Customs and
Border Protection Service

TAPIN

Tariff Advice Application Number 20854300

Sample Provided	NO		
Illustrative Descriptive Material	YES		
Additional Info Requested	YES	Requested on	21 JAN 2014
Additional Info Received	YES	Received on	23 JAN 2014

Acquittal Details:

Acquit Date 28 JAN 2014
Given Tariff Classification 8413.91.10

Given Instrument

Given Schedule 4 Item

Given Reasons DETAILED DESCRIPTION OF GOODS:

A range of Weatherford Pony rods (Type D, T66) being steel rods which are designed for use in oil and gas well pumping units. They are the short section of sucker rods and connect to make a rod string the correct length. IDM provided for Weatherford Artificial Lift Pony Rods measuring 2 feet to 10 foot lengths. Product literature states Pony rods are manufactured to the same chemical properties, rod diameters, dimensions, and tolerances as sucker rods.

IDENTIFICATION OF GOODS:

Pony rods designed for spacing out a rod string being parts for oil and gas well pumps.

HEADINGS CONSIDERED:

8413 Pumps for liquids, whether or not fitted with a measuring device is the only heading considered.

APPROPRIATE HEADING AND REASONS WHY:

8413 IR (1) TOH being parts of pumps for liquids, whether or not fitted with a measuring device. HSEN to 84.13 gives guidance, and includes rods as parts of pumps for example sucker rods.

APPROPRIATE SUBHEADING AND REASONS WHY:

8413.91.10 TOSH IR (6) goods are parts of pumps specially designed for use in the mining industry. Section 16 Note 2 (a) applies. Precedent 2019400 provides clarification of the term mining in relation to this subheading.

TARIFF CONCESSION ORDER ELIGIBILITY OR OTHERWISE AND REASONS WHY:

TC 0900116 PARTS, OIL AND GAS WELL PUMP, being sucker rods is



Australian Government

Australian Customs and
Border Protection Service

TAPIN

Tariff Advice Application Number 20854300

not applicable as it is keyed to another heading

This decision only applies to goods as detailed in this application from the supplier nominated in this application and imported by the owner nominated in this application. This decision is valid in all Australian ports for five (5) years from the date of this decision.

Decision Officer Name s22(1)(a)(ii)

Decision Officer Phone 1800053016

Registry File Number

Multiple Classification NO

Rejection Reason

Released by DIBP under the
Freedom of Information Act 1982

Tariff Precedent Number : 20194000

Type : 5 Date last Changed : 26/07/2011

Description of Goods : This precedent provides clarification of the term 'mining' in relation to this subheading.

Heading : 8413.91.10

Inst No :

Reason : For the purpose of this subheading, mining is considered to be the extraction of minerals occurring naturally as solids such as coal and ores, liquids such as crude petroleum, or gases such as natural gas.

'Mining industries' are those involved directly in such activities, but do not include support services or exploration.

Exploration and other mining support services are not considered to be mining industries, but related or auxillary industries.

Only pumps specifically designed for use in the mining industry, whether or not also used in like activities in mining support services or mineral exploration, will be considered to be "specially designed for use in the mining (...) industries".

In demonstrating that a pump is specifically designed for the mining industry, reference must be made to the physical features and specifications of the pump.

General use pumps or pumps designed for use in another or multiple industries are not classifiable, regardless of the intended or actual end use of the pump.

Advice Status : F Date : 26/07/2011

Changed Status : Date : Code :

Released by DIBP under the
Freedom of Information Act 1982

Targeted review of Tariff Concession Orders – Audit outcome

Objective: Determine whether TCOs are still valid and appropriate in the current market

TCO number, description.....0900116 PARTS, OIL AND
GAS PUMP, being sucker rods.....Op date 1/9/2009
Risk category4.....

Report by the delegate of the Chief Executive Officer acting under powers Instrument 2/2010

	Targeted review checklist	Legislative requirement and comments if applicable	Is action required to revoke the TCO?
1	Is the TCO in breach of the Excluded Goods Schedule?	S269SJ(1)(b) Tariff classification is This is/isn't listed in EGS	
2	Is the TCO in breach of end-use provisions?	S269SD(5)/269SJ(1)(a) Yes / No	
3	Is the TCO in breach of requirements that it represents an accurate or full description of the goods	S269F(3)(a) Yes / No	
4	Is the TCO classifiable to multiple Tariff headings?	S269F(3)(b) and S269SD(1AA)/(1AB) Yes / No	
5	Are any product standards including in wording, and are these still current?	S269SD(1AA)/(1AB) Yes / No	

59

6	Are we aware of any possible Australian manufacturers for these goods?	S269H; s269 1AA/1AB or 269SB Yes <input checked="" type="radio"/> No	<i>Disputed with Oilfield piping Sys. - not on L.M.</i>
7	Has the TCO been made in other than generic terms?	S269SJ and 269SD(1AA)/(1AB) Yes / No	
8	Is the TCO correctly recorded on the Schedule of Concessional Instruments	S269SD(3) Yes / No	
9	Has it been used in the past two years?	S269SD(1A) <input checked="" type="radio"/> Yes / No	
10	Has the TCO been made in contravention of international agreements	S269SK and 269SD(1AA)/(1AB)	
11	Has the tariff rate been reduced to free	S269SD(1) Yes / No	

Summary: I have assessed the file for this tariff concession order.

- I am satisfied that the TCO is still valid and appropriate, and that no further action is required

- ☒ I am satisfied that the TCO may not be valid because it potentially contravenes item On the audit list. As a result, I will seek to revoke the TCO because I believe it is not valid in the current market.

s22(1)(a)(ii)

Delegate

Date 15/4/14

This document, and supporting evidence for the decision, is to be placed on the file

64

TARIFF CONCESSION REVOCATION ORDER

Under Section 269SD(2) of the Customs Act 1901, I **s22(1)(a)(ii)** a delegate of the Chief Executive Officer (a) revoke Tariff Concession Order Number 0900116 made on 17.04.09, in respect of the goods described in TABLE A below. This Revocation has effect from 15.04.14; 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 Description of Goods including the Customs Tariff Classification	COLUMN 2 Schedule 4 Item Number Last date of effect
8413.91.90 PARTS, OIL AND GAS WELL PUMP, being sucker rods Op. 09.01.09	50 15.04.14 - TC 0900116

This is page 1 of 2 Pages of the instrument.

Dated 16 April 2014

s22(1)(a)(ii)

Delegate of the Chief Executive Officer

Released by DIBP under the
Freedom of Information Act 1982

63.

TABLE B

COLUMN 1		COLUMN 2	
Description of Goods including the Customs Tariff Classification		Schedule 4 Item Number Last date of effect	
8413.91.10	PARTS, OIL AND GAS WELL PUMP, being sucker rods		50
	Op. 15.04.14	- TC 1412997	

This is page 2 of 2 Pages of the instrument.

Dated 16 April 2014

s22(1)(a)(ii)

Delegate of the Chief Executive Officer

Released by DIBP under the
Freedom of Information Act 1982

19 TCOs Revoked and Re-Issued - Classification Change and
Customs Initiated - TCOs Revoked

Commonwealth of Australia Gazette
No TC14/16, Wednesday, 30 Apr 2014

CUSTOMS ACT 1901 - NOTICE PURSUANT TO SECTION 269SE(2)

TARIFF CONCESSION ORDER REVOKED AND NEW TARIFF CONCESSION ORDERS MADE IN ACCORDANCE WITH 269SD(2) OF THE
CUSTOMS ACT.

The 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			
8413.91.90	PARTS, OIL AND GAS WELL PUMP, being sucker rods		50
Op. 09.01.09	Dec. date 17.04.09	- TC 0900116	14.04.14
ORDER REVOKED - CHANGE IN TARIFF CLASSIFICATION - SEE TC1412997 KEYED TO 8413.91.10			
TCO REISSUED			
8413.91.10	PARTS, OIL AND GAS WELL PUMP, being sucker rods		50
Op. 15.04.14	Dec. date 16.04.14	- TC 1412997	N/A

CUSTOMS ACT 1901

TARIFF CONCESSION ORDER REVOCATION AT THE INITIATIVE OF CUSTOMS

The Tariff Concession Order listed in THE TABLE below has been revoked.

THE TABLE

Description of Goods including the Customs Tariff Classification		Schedule 4 Item Number Last Date of Effect	
7326.90.90	PARTS, INTERMEDIATE BULK CONTAINER, galvanized steel, being ANY of the following: (a) bottom plates; (b) feet; (c) centre bridges; (d) ID plates; (e) tubes, pressed and formed		50 11.03.14
Op. 19.10.05	Dec. date 16.01.06	- TC 0514733	
Order revoked following intention to revoke this TCO as advertised in the Tariff Concession Gazette TC 14/11 on 19/3/14.			