



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 SCI, in the administrative guidelines in Volume 13 of the Australian Customs Service (ACS) Manual, in Australian Customs Notice No. 98/19, or by phoning (02) 6275 6666.

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

Applicant's Name: <b>E.D. Oates Pty Ltd</b>		Australian Business Number (A.B.N) <b>61 004 329 462</b>
Postal Address: <b>PO Box: 158 Campbellfield VIC 3061</b>		
Applicant's Reference: <b>Wipes</b>	Owner Code (if applicable)	
Company Contact: <sup>s47F</sup> [REDACTED]	Position Held: <b>Operations Manager</b>	
Telephone Number <b>613 9355 6900</b>	Facsimile Number	E-mail Address: <sup>s47F</sup> <b>@oates.com.au</b>

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

Importers Name (if same as applicant, write "as above") <b>As above</b>	A.B.N.
Importer's Reference	Owner Code <b>8 OCT '08 11:57</b>
Company Contact	Position Held
Telephone Number	Facsimile Number

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**AGENT/BROKER DETAILS (if applicable)**

Agent's Name <b>Kuehne &amp; Nagel Australia Pty Ltd</b>		A.B.N <b>70 000 871 607</b>
Postal Address: <b>8 Bradford Street, Alexandria NSW 2015</b>		
Agent's Reference:		Agency Contact: <sup>s47F</sup> [REDACTED]
Telephone Number <sup>s47F</sup> [REDACTED]	Facsimile Number	E-mail Address <sup>s47F</sup> [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**

**CLEANING WIPES IN SHEETS OR ROLLS, not less than 40 gsm**

**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) **6307.10.30**
- Identify the General Duty rate **5%** %
- If a Tariff Advice for the goods has been sought or obtained, please provide the TA No. [REDACTED] or attach a copy.

**USES OF THE IMPORTED GOODS**

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



**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 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 correspondence to, and replies from, local manufacturers. The application will be rejected if it fails to provide all information as to the inquiries made.

**NOTE:** The Australian Customs Service suggests that 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.**

A search of Kompass using the search of key word "WIPES, CLEANING" did not locate any Australian manufacturers of these goods.

- 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.**

A search of Kompass did not locate any Australian manufacturers of these goods.

Copies are attached



**PRESCRIBED ORGANISATIONS**

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.

A search of Kompass did not locate any Australian manufacturers of the subject goods.

We submit that this application meets the core criteria of Section 269C of the Customs Act

**DECLARATION**

I, <sup>s47F</sup> [REDACTED]	Position Held: Customs Broker
Company (if applicable) Kuehne & Nagel Australia 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.	
Signature of Applicant/Agent/Broker <sup>s47F</sup> [REDACTED]	Date: 07/10/08

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

- leaving it in the box provided in the foyer of Customs House, Canberra

Or

- sending it by facsimile to (02) 6275 6376.



**WIPES AND CLEANING CLOTHS**



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**Industrial Wipes**



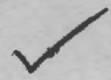
HW-060	Col	Code	APN
Durawipe Sheets		HW-060R	9310124146173
All purpose heavy duty strength		HW-060Y	9310124146180
Industrial wipe		HW-060G	9310124146166
Ideal for any industrial cleaner		HW-060B	9310124146012
Reusable			
Dimensions: L 600 x W 600mm			
Pack: 25			

HW-003	Col	Code	APN
Industrial Superwipes - 20 Pack		HW-003R	9310124201384
Heavy duty industrial wipes		HW-003Y	9310124201414
Thicker for increased absorbency		HW-003W	9310124201421
Reusable		HW-003G	9310124201391
135gsm		HW-003B	9310124201407
Dimensions: L 380 x W 400mm			
Pack: 5			

*Thermal woven*

*- Non-woven -*

*Spon lace (hydro-entanglement)*



HW-010	Col	Code	APN
Industrial Superwipes - 10 Pack		HW-010R	9310124201339
Medium duty industrial wipes		HW-010Y	9310124201360
Super absorbent		HW-010W	9310124201377
Reusable		HW-010G	9310124201346
110gsm		HW-010B	9310124201353
Dimensions: L 300 x W 400mm			
Pack: 10			

**NEW**

HW-030	Col	Code	APN
Durawipes Roll 45 Metre		HW-030R	9310124201452
All purpose heavy duty strength industrial wipe		HW-030Y	9310124201469
Perforated sheets for easy tear off from the roll		HW-030G	9310124201438
Reusable		HW-030B	9310124201445
Dimensions: H 300 x W 175 x L 175mm			
Pack: 4			

**NEW**



**AVAILABLE MID JUNE**

HW-037
Impregnated Dusting Cloths
Lemon scented
Effectively attract, capture and remove dust
Dimensions: L 600 x W 300mm
Pack: 25
APN: 931012414674

*Advised by applicant that both goods are Non-woven 23/10/10 15:30*

s47F

s22(1)(a)(ii)

**OATES CLEAN®**

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