

Customs Tariff (No. 2)

No. 17 of 1967

An Act relating to the Exemption from Duties of Customs of Goods for the use of certain Representatives of Governments of Countries other than Australia and their Staffs and Families.

[Assented to 12 May 1967]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1) This Act may be cited as the *Customs Tariff (No. 2)* 1967. Short title and citation.

(2.) The *Customs Tariffs* 1966,* as amended by the *Customs Tariff* 1967,† is in this Act referred to as the Principal Act.

(3.) Section 1 of the *Customs Tariff* 1967 is amended by omitting sub-section (3.).

* Act No. 134, 1965, as amended by Nos. 27 and 34, 1966.
7, 1967.

(4.) The Principal Act, as amended by this Act, may be cited as the *Customs Tariff* 1966–1967.

Commence-
ment.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Special rates
of duty.

3. Section 21 of the Principal Act is amended by omitting sub-sections (4.) and (5.) and inserting in their stead the following sub-sections:—

“(4.) Sub-section (1.) of this section does not apply in respect of goods that are intended for the use of a consular post or person to whom item 5 or item 6 in Part I. of the Second Schedule applies where any other goods of the same kind, or of a similar kind, that have been imported into Australia were, at the time when they were entered for home consumption, intended for the use of the consular post or person and the Minister, by instrument in writing, declares that, in his opinion, the reasonable requirements of the consular post or person, as the case may be, have adequately been met by the other goods.

“(5.) Sub-section (1.) of this section does not apply in respect of goods for the use of a consular post or person to whom item 5 or item 6 in Part I. of the Second Schedule applies unless—

- (a) the head of the consular post or person for whose use the goods are intended, as the case may be, agrees that, in the event of the goods being sold or otherwise disposed of in Australia within two years after the date of entry of the goods for home consumption, he will, unless the Minister otherwise determines, pay an amount equal to the duty that, but for that item, would have been payable in respect of the goods; and
- (b) where the person so entering into an agreement has previously entered into a similar agreement in relation to any other goods and has committed a breach of that last-mentioned agreement—the person complies with such conditions, if any, as the Minister, by instrument in writing, determines (which may include a condition that the person give security, satisfactory to the Minister, that he will comply with the first-mentioned agreement).

“(6.) Where the Minister is of opinion that a country does not grant in relation to Australia exemptions from duties of customs corresponding with the exemptions having effect in relation to that country by virtue of item 5 or item 6 in Part I. of the Second Schedule, he may, by instrument in writing published in the *Gazette*, direct that that item shall not apply in relation to that country except to such extent, if any, as is specified in the instrument.”.

Amendment
of Part I. of
Second
Schedule.

4. Part I. of the Second Schedule to the Principal Act is amended as set out in the Schedule to this Act.

THE SCHEDULE

Section 4.

AMENDMENT OF PART I. OF THE SECOND SCHEDULE TO THE PRINCIPAL ACT

Omit items 5 and 6, insert the following items:—

" 5	<p>Goods that are, at the time when they are entered for home consumption, intended for—</p> <p>(a) the official use of a consular post in Australia of any country, being a consular post the head of which is a person who is not an Australian citizen, is not ordinarily resident in Australia or in a Territory of the Commonwealth (including the Territory of Nauru) and is not otherwise engaged in a profession, business or occupation;</p> <p>(b) the personal use of a person who is the head of a consular post in Australia of any country or, not being the head of such a post, is entrusted in the capacity of a consular officer with the exercise of consular functions at such a post, being a person who is not an Australian citizen, is not ordinarily resident in Australia or in a Territory of the Commonwealth (including the Territory of Nauru) and is not otherwise engaged in a profession, business or occupation;</p> <p>(c) the official or personal use of a Trade Commissioner in Australia of any country, being a person who is not an Australian citizen, is not ordinarily resident in Australia or in a Territory of the Commonwealth (including the Territory of Nauru) and is not otherwise engaged in a profession, business or occupation; or</p> <p>(d) the personal use of a member of the family of a person referred to in either of the last two preceding paragraphs, being a member of the family who forms part of the household of the person, is not an Australian citizen, is not ordinarily resident in Australia or in a Territory of the Commonwealth (including the Territory of Nauru) and is not engaged in a profession, business or occupation</p>	Free	Free
" 6	<p>Goods that—</p> <p>(a) are, at the time when they are entered for home consumption, intended for the personal use of a person who is employed—</p> <p>(i) in the administrative or technical service of a consular post in Australia of any country, being a consular post the head of which is a person who is not an Australian citizen, is not ordinarily resident in Australia or in a Territory of the Commonwealth (including the Territory of Nauru) and is not otherwise engaged in a profession, business or occupation; or</p> <p>(ii) on the official staff of a Trade Commissioner in Australia of any country, being a Trade Commissioner referred to in paragraph (c) of item 5 of this Part of this Schedule, and who is not an Australian citizen, is not ordinarily resident in Australia or in a Territory of the Commonwealth (including the Territory of Nauru) and is not otherwise engaged in a profession, business or occupation; and</p> <p>(b) are imported at the time when that person first takes up duty at a consular post, or on the staff of a Trade Commissioner, as the case may be, in Australia of that country</p>	Free	Free

THE SCHEDULE—*continued*

" 6A	Goods that—	Free	Free".
	<p>(a) are, at the time when they are entered for home consumption—</p> <ul style="list-style-type: none"> (i) intended for the official use of a consular post in Australia of any country, being a consular post to which paragraph (a) of item 5 of this Part of this Schedule does not apply; or (ii) intended for the official use of a Trade Commissioner in Australia of any country, being a person to whom paragraph (c) of item 5 of this Part of this Schedule does not apply; <p>(b) are declared by that person, in writing, to be for such official use; and</p> <p>(c) are included in a class of goods, or are goods, approved by the Minister for the purposes of this item</p>		
