

Customs Tariff (No. 2) 1973

No. 170 of 1973

AN ACT

Relating to Duties of Customs.

[Assented to 11 December 1973]

BE IT ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

Short title
and citation.

1. (1) This Act may be cited as the *Customs Tariff (No. 2) 1973*.

(2) The *Customs Tariff 1966–1972*,* as amended by the *Customs Tariff 1973*,† is in this Act referred to as the Principal Act.

(3) Section 1 of the *Customs Tariff 1973* is amended by omitting sub-section (3).

(4) The Principal Act, as amended by this Act, may be cited as the *Customs Tariff 1966–1973*.

Commence-
ment.

2. (1) Sections 1, 2 and 4 shall come into operation on the day on which this Act receives the Royal Assent.

(2) Sections 3 and 5 shall come into operation on the day on which the *Industries Assistance Commission Act 1973* comes into operation.

* Act No. 134, 1965, as amended by Nos. 27 and 34, 1966; Nos. 7, 17, 68, 69 and 70, 1967; Nos. 39 and 83, 1968; Nos. 8 and 32, 1969; Nos. 36 and 82, 1970; Nos. 38, 107 and 109, 1971; and Nos. 4, 18, 63, 135 and 136, 1972.

† Act No. 147, 1973.

3. Section 6 of the Principal Act is amended—

Interpretation.

- (a) by inserting in sub-section (1), after the definition of “duty”, the following definition:—

“ ‘Industries Assistance Commission’ means the Industries Assistance Commission constituted under the *Industries Assistance Commission Act 1973*;”;

- (b) by inserting in sub-section (1), after the definition of “support duty”, the following definition:—

“ ‘Tariff Board’ means the Tariff Board that was constituted under the *Tariff Board Act 1921–1972*;”;

- (c) by omitting from sub-section (1) the definition of “the Tariff Board”.

4. Section 18 of the Principal Act is repealed.

Deferred rates.

5. (1) Section 34 of the Principal Act is repealed and the following section substituted:—

“ 34. (1) Where a rate of duty set out in column 3 or column 4 of the First Schedule, in column 6 of the Fourth Schedule or in column 4 of the Fifth Schedule in relation to any goods is referred to in that column as a temporary duty, the rate ceases to operate at the expiration of a period of three months after the date upon which the Minister administering the *Industries Assistance Commission Act 1973* received or receives the report of the Industries Assistance Commission upon the reference to that Commission or to the Tariff Board with respect to those goods that was pending on the date as from which duty in accordance with that rate commenced to be collected. Temporary rates.

“(2) For the purposes of sub-section (1), a notification in the *Gazette* by the Minister administering the *Industries Assistance Commission Act 1973*, under sub-section (4) of section 29 of that Act, of the fact that he has received the report of the Industries Assistance Commission upon a particular reference and of the date upon which he received that report is conclusive evidence of the matters so notified.”.

(2) Notwithstanding the amendment made by sub-section (1)—

- (a) section 34 of the Principal Act continues to apply to such extent as is necessary to terminate the operation of the rate of a temporary duty in relation to any goods where the final report of the Tariff Board, upon the reference to that Board with respect to those goods that was pending on the date as from which duty in accordance with that rate commenced to be collected, was received by the Prime Minister before the commencement of this section; and
- (b) for the purposes of that section as so continuing to apply, the references in that section to the Minister of State for Trade and Industry shall be construed as references to the Prime Minister.