

1985

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

CUSTOMS UNDERTAKINGS (PENALTIES) AMENDMENT BILL 1985

EXPLANATORY MEMORANDUM

(Circulated by Authority of the Minister for Industry,  
Technology and Commerce, Senator the Honourable John N.  
Button).



## Customs Undertakings (Penalties) Amendment Bill 1985

### Outline

This Bill proposes several technical and formal amendments to the Customs Undertakings (Penalties) Act 1981 as a consequence of the changes made to the tender quota provisions in Part XV of the Customs Act 1901 by the Customs and Excise legislation Amendment Act 1985 (Act No.40 of 1985).

The changes made to Part XV of the Customs Act 1901

- (1) Enable the Minister administering the Customs Act to determine the periods of validity for which tender quota schemes are to run;
- (2) Change the requirements of the tender quota undertaking so that tenderers need only undertake to enter the relevant goods for home consumption and not also undertake to import the goods; and, consequently,
- (3) Change the importation requirement of quota instruments to a requirement that the goods be entered for home consumption.

The amendments in this Bill reflect those changes.

### Financial Impact Statement

The provisions of this Bill have no direct financial implications.

## Notes on Clauses

### Short title

Clause 1 is a formal machinery clause which defines the Customs Undertakings (Penalties) Act 1981 as the Principal Act

### Commencement

Clause 2 provides for the Act to be deemed to have come into operation on 30 May 1985 (the day of operation of the amending provisions in the Customs and Excise Legislation Amendment Act 1985 dealing with the changes to the tender quota scheme in Part XV of the Customs Act 1901)

### Penalty

Clause 3 inserts a number of formal and technical amendments into the Principal Act which reflect the changes made to the tender quota arrangements in Part XV of the Customs Act 1901 as contained in the Customs and Excise Legislation Amendment Act 1985 (No.40 of 1985). The new arrangements provide for a determined period or periods for which tender quota schemes are to run instead of a particular year and no longer require the goods to be imported and entered for home consumption in the same year.

### Application

Clause 4 is a saving provision.