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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

CUSTOMS TARIFF (ANTI-DUMPING) AMENDMENT
(OFF-SHORE INSTALLATIONS) BILL 1982

EXPLANATORY MEMORANDUM

(Circulated by the Authority of the Minister for Business
and Consumer Affairs, the Honourable John Moore, M.P.)

CUSTOMS TARIFF (ANTI-DUMPING) AMENDMENT
(OFF-SHORE INSTALLATIONS) BILL 1982

Purpose of the Bill :

This Bill amends the Customs Tariff (Anti-Dumping) Act 1975 so as to ensure that an installation which is attached to the continental shelf in Australia for purposes of exploration or exploitation of the natural resources of the shelf, goods which are brought with an installation and goods subsequently brought direct to such an installation receive the same anti-dumping treatment as goods imported into Australia in the normal way.

The Bill is part of a package of measures to extend the Commonwealth's taxing and control powers to off-shore operations and is complementary to the Off-Shore Installations (Miscellaneous Amendments) Bill 1982.

These measures have become necessary following developments on the north-west shelf of Western Australia. That development will result in giant oil rig platforms being brought direct from Japan to their proposed operating sites on the continental shelf.

- Clause 1 - Citation of the Amending Act and identification of the Customs Tariff (Anti-Dumping) Act 1975 as the Principal Act
- Clause 2 - Commencement to be on the 28th day after the day on which the Off-shore Installations (Miscellaneous Amendments) Act 1982 receives the Royal Assent. This is the uniform commencement date of the "off-shore" package of measures.
- Clause 3 - Extends the present meaning of "importer" (which is related to the landing of goods in geographical Australia) to have application, in relation to an installation, goods on board an overseas installation and goods taken direct from overseas to an Australian off-shore installation, to the person who is the beneficial owner of the installation or the goods at the time of their importation.
- Clause 4 - Inserts new provisions which -
- (a) deem to be part of Australia for the purposes of the Customs Act:
 - . any installation that is attached to the Australian seabed at the date of commencement (proposed sub-section 4AA(2));
 - . any overseas installation or other installation that becomes so attached after the date of commencement (proposed sub-sections 4AA(1) and (3));
 - (b) provide that an installation that is deemed to be part of Australia shall cease to be such a part upon it being detached from the seabed or from another installation for the purpose of being taken outside the outer limits of Australian waters (proposed sub-section 4AA(4));
 - (c) deem to be exported to, and imported into Australia -
 - (i) an installation that is brought direct from overseas and attached to the Australian seabed (proposed sub-section 4AB(1));
 - (ii) goods on such an installation at the time of its attachment to the seabed (proposed sub-section 4AB(1));

- (iii) an installation that is brought from overseas into a place in Australia from which it is to be taken for attachment to the seabed (proposed sub-section 4AB(2));
- (iv) goods on such an installation when it is brought into that place (proposed sub-section 4AB(2)); and
- (v) goods that are brought direct from overseas to an installation (proposed section 4AC).