

South Pacific Regional Trade and Economic Cooperation Agreement [SPARTECA]

(Tarawa, 14 July 1980)

Entry into force generally: 1 January 1981

Entry into force for Australia: 30 June 1982

Amendments to the South Pacific Regional Trade and Economic Cooperation Agreement of 14 July 1980

(April 1989)

Entry into force for Australia and generally: 14 September 1989

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SOUTH PACIFIC REGIONAL TRADE AND ECONOMIC COOPERATION AGREEMENT

The Governments of Australia, the Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Solomon Islands, Tonga, Tuvalu and Western Samoa, being members of the South Pacific Forum (hereinafter referred to as "the Forum"):

MINDFUL of the close historic, economic, political and geographic links that bind the members of the Forum;

RECOGNISING the special relationship and commitment of Australia and New Zealand to Forum Island countries;

BEARING in mind the desire to strengthen economic cooperation within the South Pacific;

ACKNOWLEDGING the Forum's commitment to the promotion of sustained economic development of the island countries in the region;

AWARE of the crucial and vital role that trade plays in the economic development of the Forum Island countries;

HAVING REGARD to the greater dependence of Forum Island countries vis-a-vis other countries on the Australian and New Zealand markets;

RECOGNISING the desirability of broadening the already extensive duty-free treatment accorded by Australia and New Zealand to products of the Forum Island countries;

TAKING into account the limited industrial potential of Forum Island countries vis-a-vis other developing countries;

RECOGNISING the need to foster trade in products currently produced in the region as well as trade in new products, primary, processed and manufactured; and

MINDFUL of the differing economic potential of Forum Island countries and the special development problems of the Smaller Island countries;

HAVE AGREED as follows:

## Article I

### Definitions

In this Agreement:

"Director" means the Director of the South Pacific Bureau for Economic Cooperation;

"Forum Island countries" means the Cook Islands, Fiji, Kiribati, Nauru, Niue, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Western Samoa and the countries of acceding Parties; and

"Smaller Forum Island countries" means the Cook Islands, Kiribati, Niue, Tonga, Tuvalu, Western Samoa, and such other countries, the Governments of which are Parties, as the Governments of Forum Island countries may jointly determine.

## Article II

### Objectives

The objectives of this Agreement are:

- (a) to achieve progressively in favour of Forum Island countries duty free and unrestricted access to the markets of Australia and New Zealand over as wide a range of products as possible;
- (b) to accelerate the development of the Forum Island countries in particular through the expansion and diversification of their exports to Australia and New Zealand;
- (c) to promote and facilitate this expansion and diversification through the elimination of trade barriers;
- (d) to foster the growth and expansion of exports of Forum Island countries through the promotion of investment in those countries;
- (e) to promote greater penetration by exports from Forum Island countries into the Australian and New Zealand markets through such measures as cooperation in the marketing and promotion of goods from Forum Island countries; and
- (f) to promote and facilitate economic cooperation, including commercial, industrial, agricultural and technical cooperation.

## Article III

### Schedules of concessions

1. Subject to the provisions of this Agreement the Government of Australia shall:
  - (a) permit the duty free and unrestricted entry of goods listed in Schedule 1 to this Agreement that originate in and are imported from Forum Island countries;
  - (b) permit the entry of goods listed in Schedule 2 to this Agreement that originate in and are imported from Forum Island countries, subject to the duties and quantitative limits specified in that Schedule.
2. Subject to the provisions of this Agreement the Government of New Zealand shall permit the duty free and unrestricted entry of all goods wholly obtained or partly manufactured in the territory of a Forum Island country, except those goods listed in Schedule 3 to this Agreement which shall be subject to such treatment as may be specified therein.
3. The Schedules to this Agreement shall be an integral part of this Agreement.

## Article IV

### Amendment to Schedules

1. A Government of a Forum Island country may at any time propose in writing to the Director the amendment of a Schedule to this Agreement.
2. On receipt of such a proposal the Director shall advise all Parties of the proposed amendment, and if requested by the Government of any Forum Island country, shall arrange consultations between the Party to which the Schedule applies and interested Governments of Forum Island countries.
3. Following the consultations referred to in paragraph 2 of this Article the Party to which the Schedule applies shall, within a reasonable period, notify the Director of the outcome of consultations. The Director shall thereupon notify all Parties of this outcome including any amendment to the Schedule and the date of its entry into effect.
4. The Party to which a Schedule applies may amend it in order to provide improved concessionary treatment in respect of the importation of goods to which the rules of origin in Article V apply. Such amendments and the date on which they shall take effect shall be notified to the Director by the Government to which the Schedule applies. The Director shall thereupon notify all Parties of the amendments to the Schedule and of the date of their entry into effect.

## Article V

## Rules of origin

1. Goods shall be treated by the Government of Australia as originating in the territory of a Forum Island country if these goods are:

- (a) the unmanufactured raw products of a Forum Island country; or
- (b) manufactured goods, in relation to which:
  - (i) the process last performed in manufacture of the goods was performed in a Forum Island country; and
  - (ii) not less than 50 percent of the factory or works cost of the goods is represented by the value of labour or materials, or both, of:
    - (a) a Forum Island country; or
    - (b) a Forum Island country and one or more other Forum Island countries; or
    - (c) one or more Forum Island countries and Australia.

2. The following shall be the classes of goods entitled to be entered under the New Zealand Tariff at the rates and exemptions provided for Forum Island countries, namely:

- (a) Then following goods wholly obtained in the territory of any of the Forum Island countries:
  - (i) mineral products extracted from its soil or from its seabed;
  - (ii) vegetable products harvested there;
  - (iii) live animals born and raised there;
  - (iv) products obtained there from live animals;
  - (v) products obtained by hunting or fishing conducted there;
  - (vi) products of sea fishing and other products taken from the sea by its vessels;
  - (vii) products made on board its factory ships exclusively from the products referred to in sub-paragraph (a)(vi) of this paragraph;
  - (viii) used articles collected there fit only for the recovery of raw materials;
  - (ix) waste and scrap resulting from manufacturing operations conducted there; and

(x) products obtained there exclusively from products specified in sub-paragraphs (a)(i) to (ix) of this paragraph.

(b) Goods partly manufactured in the territory of a Forum Island country subject to the following conditions:

(i) that the process last performed in the manufacture of the goods was performed in the territory of a Forum Island country; and

(ii) that in respect of the goods, the expenditure:

(a) in material that is the origin of one or more Forum Island countries or of New Zealand;

(b) in other items of factory or works cost (as defined in the New Zealand Customs Regulations) incurred in one or more Forum Island Countries or in New Zealand; or

(c) partly in such material and partly in such other items as aforesaid is not less than 50 percent of the factory or works costs of the goods in their finished state.

3. (a) In special circumstances either the Government of Australia or the Government of New Zealand may determine that the expenditure referred to in paragraph 1(b)(ii) of this Article in the case of the Government of Australia, or paragraph 2(b)(ii) of this Article in the case of the Government of New Zealand may be less than 50 percent of the factory or works cost of the goods in their finished state for particular goods or classes of goods. Any such determination may be applied to all such goods originating from the Forum Island countries or restricted to goods from individual Forum Island countries.

(b) In making a determination under this paragraph of the rules of origin, the Government of Australia and the Government of New Zealand shall take account, inter alia, of the special problems of the Smaller Island countries and the area content derived from all Forum Island countries.

4. A Government of a Forum Island country may request the Government of Australia or the Government of New Zealand to make a determination pursuant to paragraph 3 of this Article. The requesting Government shall notify the Director of its request who shall thereupon inform all the Parties. The Government requested to make a determination shall notify the Director of the outcome of the request within 3 months of receipt of that request. The Director shall thereupon notify all the Parties of that outcome.

## Article VI

General exceptions, revenue duties, dumped and subsidised goods

General exceptions

1. Provided that such measures are not used as a means of arbitrary or unjustifiable discrimination or as a disguised restriction on trade, nothing in this Agreement shall preclude the adoption or enforcement by the Government of Australia or the Government of New Zealand of measures:

- (a) necessary for the protection of its essential security interests;
- (b) necessary to protect public morals and the prevention of disorder or crime;
- (c) necessary to protect human, animal or plant life or health;
- (d) necessary to protect industrial property rights, copyrights, or to prevent unfair, deceptive or misleading practices;
- (e) necessary to secure compliance with laws or regulations relating to customs enforcement, to tax avoidance and evasion and to foreign exchange control or for the application of standards or of regulations for the classification, grading or marketing of goods, or to the operation of recognised commodity marketing boards;
- (f) relating to trade in gold or silver; or
- (g) relating to obligations entered into in the context of multilateral or bilateral commodity agreements whilst taking account of any special needs and interests of Forum Island countries.

#### Revenue duties

2. Nothing in this Agreement shall preclude the imposition by the Government of Australia of:

- (a) sales taxes; or
- (b) revenue duties which are levied equally on both imports and domestic products.

3. Nothing in this Agreement shall preclude the Government of New Zealand from imposing at any time on the importation of any product, a charge equivalent to an internal tax imposed consistently in respect of the like domestic products or in respect of an article from which the imported product has been manufactured or produced in whole or in part.

#### Dumped and subsidised goods

4. (a) Nothing in this Agreement shall preclude the Government of Australia or the Government of New Zealand from taking action, in accordance with their respective national legislation, relating to dumped or subsidised goods.

(b) Before the Government of Australia or the Government of New Zealand takes action in accordance with sub-paragraph (a) of this paragraph it shall notify in writing, and if requested consult with, the Party or Parties from whose territory the goods are being exported. For the purposes of this paragraph consultations shall be deemed to have commenced on the day on which the notification was made.

(c) If a mutually satisfactory solution of the matter is not reached within a period of 60 days from the commencement of the consultations referred to in sub-paragraph (b) of this paragraph, the Party into the territory of which the goods are being imported may, after giving notice to the Party from the territory of which the goods are being exported, levy dumping or counterfeiting duties on the goods.

(d) Notwithstanding the provisions of sub-paragraph (b) of this paragraph the Government of Australia or the Government of New Zealand may take action under sub-paragraph (a) of this paragraph provisionally without prior consultation where, in its opinion, the circumstances are so critical that delay would cause injury to a domestic industry which would be difficult to repair. A Party taking provisional action under this sub-paragraph shall immediately provide written advice of the action taken to the Director who shall notify the other Party or Parties concerned. The Parties shall then enter into consultations as soon as possible.

## Article VII

### Variation or suspension of obligations

#### Australia

1. The Government of Australia may vary the treatment accorded goods listed in Schedules 1 and 2 to this Agreement.
2. Before taking action pursuant to paragraph 1 of this Article the Government of Australia shall give notice in writing to the Director who shall inform the Parties of the action proposed. The Government of Australia shall afford those Governments of Forum Island countries, which have an interest as exporters of the product concerned, an opportunity to consult with respect to the proposed action. Such consultations shall be held within a period of 90 days of the receipt by the Director of the notification by the Government of Australia of the proposed action.
3. In varying the treatment accorded goods listed in Schedules 1 and 2 the Government of Australia shall apply the following procedures:
  - (a) for goods listed in Schedule 1 the Government of Australia may, after consulting with the Governments of Forum Island countries in accordance with paragraph 2 of this Article with respect to the level of imports of those goods which shall continue to receive duty free access, transfer those goods from Schedule 1 to Schedule 2 with an indication of the duty and/or quantitative limit of imports that it has determined with respect to those goods; or

(b) for goods listed in Schedule 2 which are being imported into Australia from any Forum Island country in such quantities or under such conditions as to cause or threaten serious injury to a domestic industry producing like or directly competitive goods the Government of Australia may request in writing the Party or Parties of the country from which the goods are being exported to consult with it on measures to reduce or prevent that injury. For the purpose of this sub-paragraph consultations shall be deemed to have commenced on the day on which the request was made.

4. If a mutually satisfactory solution of the matter is not reached within a period of 90 days from the commencement of the consultations referred to in paragraph 3(b) of this Article, the Government of Australia may either remove the goods in question from Schedule 2 or increase the duties and/or reduce the quantitative limits specified in that Schedule with respect to those goods. Before taking this action, the Government of Australia shall ensure that:

(a) an enquiry has been held by an Australian assistance advisory body; and

(b) all the Governments of Forum Island countries are given notice of the terms of the enquiry.

5. The Government of Australia shall advise the Director of its decision on the matter upon which the Director shall advise all the Parties.

6. Notwithstanding the provisions of paragraph 2 of this Article the Government of Australia may take the action referred to in paragraphs 1 and 4 of this Article without prior consultation where, in its opinion, the circumstances are so critical that delay would cause severe difficulty before consultations provided for in paragraphs 2 and 3 of this Article could be held. In taking provisional action under this paragraph the Government of Australia shall provide urgent written advice of the action taken to the Director who shall notify the other Parties.

7. Any action taken under the provisions of paragraph 6 of this Article shall cease to have effect 90 days after the implementation of the action, unless, within that period, the Government of Australia has afforded the Governments of interested Forum Island countries the opportunity to consult with it on the matter and has:

(a) undertaken to hold a prompt enquiry by an Australian assistance advisory body; and

(b) informed the Governments of the Forum Island countries of the terms of the enquiry.

New Zealand

8. If, as a result of the application of this Agreement, goods are being imported into New Zealand in such quantities or under such conditions as to cause or threaten serious injury to domestic producers of like or directly competitive goods, the Government of New Zealand may, in respect of such goods, suspend its obligations to the extent and



for such time as may be necessary to prevent or remedy such injury, bearing in mind the objectives of this Agreement.

9. Before taking action pursuant to paragraph 8 of this Article the Government of New Zealand shall give notice in writing to the Director who shall inform the other Parties of the action proposed. The Government of New Zealand shall afford those Governments of Forum Island countries which have an interest as exporters of the product concerned an opportunity to consult with respect to the proposed action. Such consultations shall be held within a period of 90 days of the receipt by the Director of the notification by the Government of New Zealand of the proposed action.

10. (a) If a mutually satisfactory solution is reached through the application of the procedures provided for in paragraph 9 of this Article the Director shall notify the Parties of any decision to modify Schedule 3 to this Agreement and the date on which that modification shall take effect.

(b) If a mutually satisfactory solution of the matter is not reached following the application of the procedures provided for in paragraph 9 of this Article the Government of New Zealand shall advise the Director of the action it proposes to take and the date from which such action shall take effect. The Director shall notify the Parties of any modification of Schedule 3 and the date on which that modification shall take effect.

11. Notwithstanding the provisions of paragraph 9 of this Article the Government of New Zealand may take the action referred to in paragraph 8 of this Article without prior consultation where, in its opinion, the circumstances are so critical that delay would cause injury to a domestic industry which would be difficult to repair. If provisional action is taken under this paragraph the Government of New Zealand shall provide urgent written advice of the action taken to the Director who shall notify the Parties.

12. Any action taken under the provisions of paragraph 11 of this Article shall cease to have effect 90 days after the implementation of the action unless, within that period, the Government of New Zealand has afforded the Governments of interested Forum Island countries the opportunity to consult with it on the matter.

## Article VIII

### Economic, commercial and technical cooperation

1. In furtherance of the objectives of this Agreement the Parties shall facilitate cooperation between their commercial and industrial organisations and firms, encourage administrative cooperation and take steps to simplify, as far as practicable, procedures and formalities affecting trade.

2. The Parties shall also take appropriate measures to encourage and facilitate the development of economic and technical cooperation between relevant organisations and firms of the countries concerned.

3. In addition, the Government of Australia and the Government of New Zealand shall consider appropriate forms of assistance within their bilateral and regional development assistance programs in the South Pacific, in accordance with the developmental priorities of individual Forum Island countries. Within these priorities such assistance shall be considered in response to specific requests relating to measures and programs in the fields of export development and trade promotion, industrial development and the development of agriculture, forestry and fisheries.

4. The Government of Australia and the Government of New Zealand shall also give appropriate support to approaches which may be made by the Governments of Forum Island countries, either individually or collectively, to United Nations, Commonwealth or other international technical assistance agencies for training, research or funding support.

#### Export development and trade promotion

5. The measures and programs within the fields of export development and trade promotion referred to in paragraph 3 of this Article may include those which contribute to:

- (a) the establishment or the improvement of the structure of organisations and firms in Forum Island countries which contribute to the development of those countries, with particular emphasis on staffing requirements, financial management and working methods;
- (b) basic training, management training, and vocational training of technicians in fields related to the development and promotion of domestic and international trade;
- (c) product research, processing, quality guarantee and control, packaging and presentation;
- (d) the development of supportive infrastructure, including transport and storage facilities, in order to facilitate the flow of exports from Forum Island countries;
- (e) the development of effective marketing and promotion techniques, based on research, marketing studies and advertising;
- (f) cooperation between relevant organisations and firms in the establishment of schemes to promote the transfer and application of technology, the development of research, and the training of personnel;
- (g) the collection, analysis and dissemination of trade information and access, where appropriate, to existing or future information systems of bodies in Australia or New Zealand; and
- (h) participation by the Forum Island countries in trade fairs and exhibitions.

## Industrial and agricultural development

6. The measures and programs within the fields of industrial development and the development of agriculture, forestry and fisheries referred to in paragraph 3 of this Article, may include those which contribute to:

- (a) investment in industries, including agro-based industries, with particular emphasis on those of a smaller or medium size;
- (b) the transfer of resources from Australia and New Zealand to the Forum Island countries through joint ventures and other commercial arrangements;
- (c) a greater degree of processing of raw materials produced in, and exported from, the Forum Island countries;
- (d) scientific and technological cooperation and training directed towards the acquisition, adaption and development by the Forum Island countries of skills essential to their industrial and agricultural development;
- (e) improvement of transport and communications, and other infrastructure associated with industrial and agricultural development; and
- (f) closer cooperation, including the exchange of information, between firms and organisations contributing to the improvement and expansion of industrial and agricultural production.

## Article IX

### Special treatment for Smaller Forum Island countries

In implementing this Agreement the particular trade problems and interests of Smaller Forum Island countries shall be taken into account and special treatment and special measures may be provided by the Government of Australia and the Government of New Zealand to enable individual Smaller Forum Island countries to overcome the specific difficulties and obstacles resulting from the exceptional nature of their needs and characteristics and to take full advantage of the opportunities offered by this Agreement. This shall not be deemed to exclude the eligibility of other Forum Island countries to receive special treatment as provided for in this Agreement to enable them to overcome special problems.

## Article X

### Consultations

1. In addition to the procedures for consultation provided for elsewhere in this Agreement a Party may at any time request consultations on any matter related to the implementation of this Agreement.

2. Any such request shall be submitted in writing to the Director and shall be accompanied by a statement of the reasons for which the consultations are sought.

3. On receipt of a request for consultations the Director shall inform the Parties accordingly and arrange for consultations between interested Parties.

## Article XI

### Institutional arrangements

1. For the purposes of this Agreement a Regional Committee on Trade is hereby established, which shall be composed of a representative from each Party.

2. The Committee shall have the following functions:

(a) to review the operation of this Agreement and to make necessary recommendations to the Forum;

(b) to consider any matter relating to the implementation of this Agreement;

(c) to review the Schedules; and

(d) to report annually to the Forum through the Director.

3. Annual meetings shall be convened by the Director. Special meetings may be convened by the Director or by the Director at the request of the majority of the Parties. The Committee shall hold its first meeting not later than one year after the entry into force of this Agreement.

4. The Committee shall appoint a Chairman at its first meeting. The chairmanship shall rotate every year as decided by the Committee.

5. Decisions of the Committee shall be by consensus.

6. The Committee shall establish its own rules of procedure and may appoint sub-committees to assist in performing its functions.

7. The Director shall be responsible for the secretariat services for the Committee and other duties as specified in this Agreement.

## Article XII

### Bilateral arrangements

The provisions of this Agreement shall be without prejudice to the bilateral commitments or arrangements which the Government of Australia and the Government of New Zealand have entered into with the Governments of the Forum Island countries,

within the framework of special historical, constitutional or economic bilateral relationships.

#### Article XIII

##### Amendment of the Agreement

1. Without prejudice to the amendment of the Schedules of this Agreement which may be effected only in accordance with Articles IV and VII of this Agreement, this Agreement may be amended at any time by the unanimous agreement of all the Parties. The text of any amendment proposed by a Party shall be submitted to the Director who shall transmit it to the Parties.
2. If three or more Parties request a meeting to discuss the proposed amendment the Director shall call such a meeting.

#### Article XIV

##### Acceptance, accession and entry into force

##### Acceptance and accession

1. This Agreement shall be open for acceptance by signature subject to ratification or by accession by the Governments of Australia, the Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Solomon Islands, Tonga, Tuvalu and Western Samoa.[1]
2. Any Government which from time to time becomes a member of the Forum may apply to become a Party by submitting a request for accession to this Agreement to the Director who shall notify all the Parties. A Government may accede to this Agreement after receipt of an invitation to do so issued by the Director with the approval of all the Parties.
3. Acceptance of or accession to this Agreement shall not be taken as extending the rights and obligations set forth in this Agreement to fully self-governing countries freely associated with the accepting or acceding Government, or to territories named by the accepting or acceding Government for whose international relations that Government is responsible.
4. Instruments signifying acceptance or accession shall be deposited with the Director.
5. This Agreement shall enter into force when either the Government of Australia or the Government of New Zealand and the Government of a Forum Island country have accepted it.[2] For each other Government it shall enter into force on the thirtieth day following the date of acceptance of, or accession to, this Agreement by that Government.[3]

6. The original of this Agreement shall be deposited with the Director who shall transmit to each Party a certified copy thereof and of each amendment thereto pursuant to Article XIII and a notification of each acceptance thereof or accession thereto pursuant to this Article, and of each withdrawal therefrom pursuant to Article XV.

7. This Agreement shall be registered by the Director in accordance with the provisions of Article 102 of the Charter of the United Nations.

#### Article XV

##### Withdrawal and termination

1. If a Party wishes to withdraw from this Agreement, that Party shall give notice in writing of its wish to the Director, who shall thereupon inform the Parties. The Party giving notice shall cease to be a Party to this Agreement 30 days from the date on which the Director receives the notice, unless:

(a) in the meantime the notifying Party has withdrawn its notice, in which event that Party shall continue to be a Party to the Agreement; or

(b) the notifying Party is either the Government of Australia or the Government of New Zealand, in which event that Party shall cease to be a Party to this Agreement 180 days from the date on which the Director received that Party's notice.

2. This Agreement shall terminate 180 days after the date on which the Director receives notification of withdrawal from this Agreement from:

(a) the Government of Australia and the Government of New Zealand; or

(b) all other Parties.

IN WITNESS WHEREOF the undersigned, duly authorised by their respective governments, have signed this agreement.

DONE at Tarawa, Kiribati this 14th day of July One thousand nine hundred and eighty (1980).

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#### SCHEDULE 1 - AUSTRALIA

##### Tariff Item

Brief description of goods

Ex 02.06.000

Beche de mer

03.01.000

Fish, fresh, chilled or frozen

03.02.000

Fish, dried, salted, or in brine, and smoked fish, except unprocessed flesh of salmon, trout

03.03.000

Crustaceans and molluscs, excluding oysters in shell

04.06.000

Natural honey

05.05.000

Fish waste

05.09.000

Tortoise shell, turtle shell

05.12.000

Coral, shells and their waste

05.13.000

Natural sponge

06.01.000

Bulbs and tubers for nursery purposes

06.02.000

Live plants, including trees, shrubs, bushes, roots, cuttings, slips, buds for nursery purposes

06.03.000

Cut flowers

06.04.000

Foliage, branches, etc

07.01.100

Onions, fresh or chilled

07.01.400

Garlic, fresh or chilled

07.01.590

Fresh olives, other than green

07.01.900  
Other fresh or chilled vegetables (excluding onions, potatoes, mushrooms, tomatoes, garlic, olives)

Ex 07.05.900  
Pulses, lentils - dried

07.06.000  
Manioc, arrowroot, other high starch roots and tubers, fresh or dried

08.01.000  
Dates, coconuts, brazil nuts, cashew nuts, pineapples, mangoes, fresh or dried

Ex 08.02.000  
Citrus fruits, dried

08.11.300  
Citrus fruits, preserved

09.01.100  
.190  
Raw coffee

09.02.000  
Tea

09.04.000  
Pepper, pimento

09.05.000  
Vanilla

09.08.000  
Nutmeg, mace, cardamoms

Ex 09.10.900  
Herbs and spices including thyme, saffron, bay leaves, curry paste or powder, tumeric

10.06.000  
Rice

11.01.000  
Cereal flours



11.04.900  
Flours of dried leguminous vegetables

11.08.100  
Potato starch

11.08.200  
Maize starch

12.01.900  
Palm nuts and kernels and oleaginous fruits, other than ground nuts

12.02.000  
Flours

12.03.900  
Seeds

12.07.990  
Plants or parts of trees, etc. used in perfumery, pharmacy or for insecticidal or fungicidal purposes

14.01.000  
Vegetable material for planting, including bamboo, rattan

14.03.100  
Broom millet

14.03.900  
Vegetable materials of a kind used primarily in brushes and brooms other than millet

Ex 14.05.000  
Vegetables products - printed masi, plain masi

Ex 15.02.000  
Edible tallow - subject to local standards

15.04.000  
Fats and oils of fish and marine mammals

Ex 15.07.100  
Coconut oil, palm oil, palm kernel oil

Ex 15.08.200  
Coconut oil, soyabean oil and peanut oil, processed

15.11.100

Crude glycerol and glycerol lyes

Ex 15.15.000  
Beeswax

16.02.900  
Canned meat products

16.03.000  
Meat and fish extracts

16.04.200  
Canned tuna

16.04.900(01)  
Small immature fish, prepared

16.04.900(02)  
Other prepared or preserved fish

16.05.100  
Extracts, pastes of crustaceans and molluscs

16.05.900  
Other crustaceans and molluscs excluding oysters in shell

17.03.900  
Molasses, not flavoured or coloured

17.04.100  
Sugar confectionery, pastes and meals

17.04.900  
Other sugar confectionery, including chewing gum

18.01.000  
Cocoa beans, raw or roasted

18.02.000  
Cocoa shells, husks, skins and waste

18.03.000  
Cocoa paste

18.05.000  
Cocoa powder, unsweetened

18.06.000

Chocolate and other food preparations containing cocoa

19.02.100  
Custard powder, not containing egg

19.03.000  
Macaroni, spaghetti and similar not containing egg

19.04.000  
Tapioca, sago

19.05.000  
Prepared (swollen, roasted) cereal grain foods

Ex 19.07.000  
Bread, ships biscuits and other ordinary bakers ware

19.08.110)

19.08.190)  
Biscuits, whether or not containing cocoa

19.08.900  
Pastry, cakes and other fine bakers wares

20.03.200  
Citrus fruits, frozen

20.07.100  
Lime juice, unsweetened

21.06.000  
Natural yeasts, prepared baking powders

Ex 21.07.190  
Banana, taro, breadfruit chips

Ex 22.01.000  
Waters, including spa waters and aerated waters

22.02.000  
Lemonade, flavoured spa waters and aerated waters and other non-alcoholic beverages

22.03.900  
Beer made from malt, containing not more than 1.15 percent of alcohol

22.10.000

Vinegar and substitutes for vinegar

23.01.000  
Flours and meals of fish, crustaceans, molluscs unfit for human consumption

23.02.000  
Bran, sharps and other residues of cereals or legume

23.03.000  
Bagasse and other waste of sugar manufacture, brewing and distilling dregs and waste, residues of starch manufacture and similar residues

23.04.000  
Oil cake and other residues from extraction of vegetable oils

23.06.000  
Products of vegetable origin of a kind used for animal food

23.07.000  
Sweetened forage, other preparations of a kind used in animal feeding

25.01.100  
Common salt, rock salt, sea salt, table salt

25.01.900  
Pure sodium chloride

25.10.000  
Natural phosphates

25.23.100  
Portland cement

30.01.100

.900  
Orango-therapeutic glands or extracts of glands or other organs, etc

30.02.000  
Antisera, microbial vaccines, toxins, etc

30.03.100

.200

.300

.400

.500

.900

Medicaments, etc

30.04.100

Crepe bandages, waddings, cotton wool, absorbent cotton and the like

30.04.200

Other waddings, gauze, bandages, etc

Ex 31.01.000

Guano

31.02.000

Mineral and chemical fertilisers, nitrogenous

31.03.000

Mineral and chemical fertilisers, phosphatic

31.04.000

Mineral and chemical fertilisers, potassic

31.05.000

Other fertilisers, not of animal origin

Ex 32.04.000

Annato seed dyes - subject to WHO specification

32.09.100

.210

.220

.290

.900

Paints, enamels, varnishes, lacquers and dyes

34.01.000

Soap, organic surface active products and preparations

34.02.100

.200

.900

Organic surface active agents and preparations and washing preparations

39.07.510

Attache or executive cases, school cases, suit cases, toilet cases, trunks, cases for sporting equipment, of plastic other than ABS

39.07.590

Other travel goods, satchels , wallets, purses NSA - of plastic

41.01.000

Raw hides and skins

42.01.000

Saddlery and harness

42.02.100

.210

.290

.300

.910

.990

Travel goods, shopping bags, handbags, etc. of leather

42.03.400

Articles of apparel, clothing accessories, of leather

42.04.000

Goods of leather used in machinery or industry

42.05.000

Other goods made of leather

42.06.000

Goods made from gut, etc

44.02.000

Wood, charcoal

44.03.000

Wood in the rough

44.04.000

Wood roughly squared

44.05.100

.200

.310

.390

.910

.990

Wood sawn lengthwise, of a thickness exceeding 5mm - exotic, non-competitive species only

44.13.100

.200

.900

Wood planed, tongued, grooved, etc. - exotic, non-competitive species only.

44.14.100

.900

Wood sawn lengthwise, of a thickness not exceeding 5mm - veneer sheets, plywood of thickness not exceeding 5 mm - exotic, non-competitive species only

44.16.000

Cellular panels of wood, whether or not faced with base metal

Ex 44.19.000

Wooden beadings and mouldings etc - using exotic non-competitive timber species

Ex 44.20.000

Wooden picture frames - using exotic, non-competitive timber species

44.17.000

Improved wood

44.21.100

Complete wooden packing cases, boxes, crates, drums, etc of fibre building board

44.21.900

Complete wooden packing cases, boxes, crates, drums, etc. other than of fibre building board

44.22.900

Wooden coopers' casks, barrels, vats, tubs, buckets

Ex 44.23.100

Louvred doors - using exotic, non-competitive timber species

Ex 44.23.900

(01)

(02)

Builders' carpentry and joinery other than louvred doors of fibre building board - using exotic, non-competitive timber species

Builders' carpentry and joinery other than louvred doors of other than fibre building board - using exotic, non-competitive timber species

44.24.000

Household utensils of wood

44.25.100

Broom, brush and tool handles of wood

44.25.900

Wooden tools, tool bodies, boot and shoe lasts and trees, of wood

44.26.000

Spools, cops, bobbins, sewing thread reels of turned wood

44.27.100

Fans and handscreens and parts thereof, of wood

44.27.900

Standard lamps, table lamps, other light fittings, caskets, bowls, ornaments and other fancy articles of wood

Ex 44.28.000

Other goods made of wood

46.02.100

Floor mats and matting and plaits and similar products

46.02.200

Plaits etc of wicker, bamboo or cane



46.02.900

Other plaited products

46.03.100

Floor mats made directly to shape

46.03.200

Baskets, panniers, hampers etc and furnishing drapery and napery

46.03.300

Basket work, wicker work, etc of rattan cane

46.03.900

Other basket work and wickerwork articles etc

47.01.100

Pulp derived from vegetable material

48.01.100

.910

.922

.929

.990

Paper and paperboard in rolls or sheets

48.03.100

.900

Parchment paper, and paperboard

48.04.100

.900

Composite paper and paperboard

48.05.100

.200

.300

.900

Paper and paperboard, corrugated, creped, perforated, etc

48.07.100

.210

.290

.310

.320

.330

.340

.390

.410

.490

.510

.590

.610

.620

.630

.690

.710

.790

.810

.820

.830

.890

.910

.990

Paper and paperboard, impregnated, coated, etc

48.14.000  
Writing blocks, envelopes, lettercards, postcards, etc of paper or paperboard

48.15.100  
.900  
Other paper and paperboard cut to size and shape

48.16.000  
Boxes, bags, boxfiles, etc of paper or paperboard

48.18.000  
Exercise books, note books, order books, diary etc of paper

48.19.000  
Printed or paperboard labels

48.20.100  
.900  
Bobbins, spools, cops of paper pulp, paper or paperboard

48.21.100  
.900  
Other goods made of paper

49.01.100  
Australian directories, guides and timetables

49.01.900  
Other printed books and brochures etc

49.09.000  
Picture postcards and greeting cards etc

49.10.000  
Calendars

49.11.100  
.900  
Other printed matter

57.04.000  
Other vegetable textile fibres including coir (coconut fibre)

59.05.000

Nets and netting made up of twine, cordage or rope and made up fishing nets of yarn, twine cordage or rope

62.03.900

Other made up textile articles

66.01.000

Umbrellas and sunshades

69.07.100

.200

.900

Unglazed setts, flag and paving tiles

69.08.100

.200

.300

Glazed setts, flag and paving tiles

69.11.000

Tableware and domestic porcelain or china

69.12.000

Tableware etc of pottery other than porcelain

70.09.910

.920

Other glass mirrors

70.10.100

Containers manufactured from glass tubing

70.10.900

Bottles, jars, sets, pots of glass

70.13.100

.200

.910

.990  
Glassware etc

71.01.000  
Pearls, worked or unworked

71.02.100  
Piezo-electric crystals

71.02.900  
Other precious and semi-precious stones

71.05.100

.900  
Silver, unwrought or semi-manufactured

71.07.000  
Gold, unwrought or semi-manufactured

71.12.100  
Brooch pins, clasps, etc of precious metals

71.12.200  
Fans and handscreens of precious metals

71.12.900  
Other articles of jewellery

71.15.000  
Goods consisting of pearls or precious or semi-precious stones

71.16.100  
Imitation jewellery (religious medals)

71.16.900  
Other imitation jewellery

Ex 73.36.100

.200

.910

.990  
Gas stoves

74.17.100

.910

.990

Domestic cooling and heating apparatus of copper, non-electric

Ex 76.08.000

Doors and window frames of aluminium

Ex 76.10.000

Drums and cans of aluminium

76.15.100

Soda water siphons and parts, of aluminium

76.15.900

Other goods used for domestic purposes, of aluminium

89.02.200 (02)

(03)

Launches and sailing yachts between 7.5 and 13.5 metres in length

Fishing vessels, and other vessels, not exceeding 150 gross tonnes

91.01.000

Watches

91.02.000

Clocks, with watch movements

92.12.110

Disc packs and cartridges for ADP machines

92.12.190

Other prepared tapes, wires, strips, etc used for magnetic recording of sound

92.12.900

Gramophone records, matrices for the production of records, etc

94.01.110

Chairs and seats for flying machines

94.03.110

Smoking requisites and parts thereof

94.04.100

Matress supports and mattresses

95.05.100

Unset cameos and intaglios, not being goods made of tortoise shell, mother of pearl, ivory or bone

Ex 95.05.900

Other worked tortoise shell, mother of pearl, ivory, etc and goods made of those materials

95.08.900

Worked vegetable or mineral carving material and goods made of those materials, and other moulded or carved goods

96.01.100

Brushes from non-electrical vacuum cleaners

96.01.900 (01)

(02)

(03)

Artists' brushes, brooms and brushes not mounted in a head, brushes for use in schools and prepared knots and tufts

Paints and varnish brushes

Other brooms and brushes of vegetable materials, paint rollers etc, NSA

97.04.110

.190

.200

.900

Equipment for parlour, table and fun fair games

97.05.000

Carnival, entertainment, Christmas festivities articles

97.06.100

97.06.200

97.06.900(01)

(02)

(03)

Sporting goods including exercise cycles, footballs, golf clubs and balls, gymnastic equipment, roller skates, squash racquets, tennis racquets and balls, underwater swimming equipment

Leather cases for footballs

Coir mats for outdoor games

Other goods for sports and outdoor games

98.11.100

.900

Smoking pipes, bowls, cigar holders, etc

99.03.000

Original sculptures and statuary of any materials

99.04.000

Postage, revenue and similar stamps put up for retail sale

99.04.900

Other postage, revenue and similar stamps

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SCHEDULE 2 - AUSTRALIA

Tariff item

Brief description of goods

Import treatment

04.04.100

.200

.900

Cheese and curd\*

Duty Free

\$0.09kg

\$0.096kg

07.02.900

Frozen vegetables (excl. beans and peas, mushrooms, olives, potatoes)

\$0.002kg



07.03.900

Provisionally preserved vegetable exc. capers, olives, not for immediate consumption

Quantities not exceeding 10,000 lts p.a. - duty free

07.04.100

Tomatoes, dried

Quantities not exceeding 10,000 kg p.a. - duty free

07.04.400

Mushrooms, dried and heat treated

Duty free

07.04.900

Onions, armagash, cabbage, dried

Duty free

08.08.100

Berries, fresh or chilled, pulped\*

\$0.039 lt

08.08.900

Berries, fresh or chilled, other than pulped\*

Duty free

Ex 08.09.900

Watermelon, rockmelon, passionfruit, paw paw, fresh\*

Duty free

08.10.100

Passionfruit pulp, frozen\*

DC:\$0.15 lt

DPC:\$0.14 lt

08.10.200

Citrus fruits, frozen\*

Duty free

Ex 08.10.300

Fruit pulp, frozen, not including passionfruit or citrus\*

\$0.039 lt

Ex 08.10.400

Frozen strawberries\*

7% and \$0.01 kg

Ex 08.10.900

Frozen paw paw, mango, guava, pineapple, avocado, strawberries\*  
\$0.01 kg

08.11.100

Passionfruit pulp, preserved\*  
DC: \$0.15 lt

DPC: \$0.14 lt

08.11.900

Paw paw, mango, pineapple, avocados, guavas, preserved\*  
\$0.02 lt

08.12.100

Dried apples, apricots\*  
7% and \$0.09 kg

Ex 08.12.900

Dried fruit, other\*  
\$0.09 kg

Ex 08.13.900

Peel of melons\*  
\$0.062 kg

12.01.100

Groundnuts (peanuts) and groundnut kernels and processing  
Duty free

15.07.900

Peanut oil

Soyabean oil

10%

Duty free

20.01.100

Gherkins, cucumbers, in packs not exceeding 1.14 lts, prepared or preserved  
Quantities not exceeding 10,000 lts p.a. - duty free

20.01.200

Gherkins, cucumbers, preserved NSA  
Quantities not exceeding 10,000 lts p.a. - duty free

20.01.500

Onions and pickles, preserved or prepared, in packs not exceeding 1.14 lts

Duty free

20.01 900

Onions and pickles, prepared or preserved NSA  
Duty free

20.02.100

Tomato paste, pulp, puree or juice having a dry weight content of 7% or more,  
prepared or preserved

Quantities not exceeding 10,000 kg p.a. - duty free

20.02.410

Gherkins and cucumbers in airtight containers, prepared or preserved otherwise  
than by vinegar or acetic acid, in packs not exceeding 1.14 lts

Quantities not exceeding 10,000 lts p.a. - duty free

20.02.490

Gherkins and cucumbers in airtight containers, prepared or preserved otherwise  
than by vinegar or acetic acid, in packs exceeding 1.14 lts

Quantities not exceeding 10,000 lts p.a. - duty free

20.02.610(01)

Capers in airtight containers, not exceeding 1.14 lts, prepared or preserved  
Quantities not exceeding 10,000 lts p.a. - duty free

(02)

Vegetables not being olives, potatoes or capers, in airtight containers, not  
exceeding 1.14 lts, prepared or preserved otherwise than by vinegar or acetic acid

Quantities not exceeding 50,000 lts p.a. - duty free

20.02.690(01)

Capers in airtight containers, NSA, prepared or preserved  
Quantities not exceeding 50,000 lts p.a. - duty free

(02)

Vegetables not being olives, potatoes or capers, in airtight containers, NSA,  
prepared or preserved

Quantities not exceeding 10,000 lts p.a. - duty free

20.03.100

Passionfruit pulp, frozen\*  
DC: \$0.15 It

DPC: \$0.14 It

20.03.300

Frozen fruit, pulped NSA\*  
\$0.039 It

Ex 20.03.900

Mango, paw paw, guava, pineapple, avocado, strawberries, frozen\*  
\$0.01 kg

20.04.110

Fruit peel, preserved - citrus\*  
3% and \$0.062 kg

20.04.190

Fruit peel, preserved - other\*  
\$0.062 kg

20.04.900

Paw paw, mango, avocado, guava, pineapple, preserved\*  
(01) 12.5%

(02) 22%

20.05.000

Jams, fruit jellies, marmalades, fruit puree and fruit paste, cooked\*  
(01) 7% and \$0.015 kg

(02) 7% and \$0.041 kg

20.06.220

Peanuts, prepared or preserved\*  
\$0.111 kg

20.06.290

Nuts, not including almonds and peanuts, prepared and preserved\*  
Duty free

20.06.300

Passionfruit pulp, prepared or preserved\*  
DC: \$0.15 lt

DPC: \$0.14 lt

20.07.300

Passionfruit juice\*  
DC: \$0.14 lt

DPC: \$0.13 lt

21.02.110

Extract or essence of coffee\*  
Duty free

Ex 21.02.190

Extract or essence of tea\*

Duty free

21.04.100

Soya sauce\*

Duty free

21.04.200

Sauces other than soya sauce\*

Duty free

21.04.900

Mixed condiments and mixed seasonings\*

10%

21.05.110

.190

.200

.900

Soups, broths and liquids sold in powder form, homogenised composite food preparation\*

Duty free

Duty free

20%

20%

Ex 21.07.200

Peanut butter, coconut cream, in packs not exceeding 1.14 lts\*

\$0.04 ltr

Ex 21.07.300

Peanut butter, coconut cream, in packs exceeding 1.14 lts\*

\$0.26 ltr

21.07.910

Jellies\*

Duty free

21.07.991

Hop shoots, protein concentrates, textured vegetable protein\*

Duty free

10%

Ex 21.07.999

Preparations for making non-alcoholic beverages\*

10%

22.07.100

Cider and perry

Duty free

22.07.900

Fermented beverages from fruit juices

Duty free

22.08.100

Alcohol or neutral spirits containing more than 94% by volume of alcohol

Duty free

22.08.900

Alcohol or neutral spirits containing between 80% and 94% by volume of alcohol,  
denatured spirit of any strength

\$19.25 per lt of alcohol

22.09.3

Gin

\$18.75 per lt of alcohol

22.09.4

.5

Rum

\$18.75 per lt of alcohol

Ex 22.09.7

Vodka

\$18.75 per lt of alcohol

33.01.100

.190

.200

.900

Essential oils, resin oils\*

(01) 5%

(02) Duty free

Duty free

Duty free

Duty free

Ex 33.06.900

Products of dental hygiene, incense sticks, hair cream, face cream, perfumes, skin lotions\*

Duty free

34.06.000

Candles, tapers, night lights and the like\*

\$0.021 kg

35.06.200

Glues of artificial plastic materials and resins etc\*

10%

35.06.900

Glues, other, NSA\*

Duty free

39.07.510

Attache or executive cases, school cases, suit cases, toilet cases, trunks, cases for sporting equipment, of acrylonitrile butadiene styrene copolymer (ABS)\*

35%

Ex 41.02.100

Bovine cattle leather, wet blue hides and skins\*

Duty free

66.02.000

Walking sticks, whips, riding crops, etc\*

Duty free

66.03.100

.200

Parts and accessories for items within 66.01, 66.02\*

Duty free

67.01.100

Feather dusters of birds' feathers\*

15%

67.01.200  
Fans and handscreens made of birds' feathers\*  
10%

67.01.900  
Other goods of birds' feathers  
10%

69.09.100  
.900  
Laboratory, chemical or industrial wares, troughs, tubs used in agriculture, pots,  
jars  
Duty free

69.13.100  
Articles of personal adornment, ornaments and lamps, etc of porcelain or china\*  
10%

69.13.200  
Monumental and other statuary figures and other articles of porcelain or china\*  
Duty free

69.13.900  
Other articles of porcelain china  
Duty free

69.14.100  
Bottles, jars and similar articles\*  
Duty free

69.14.900  
Other ceramic products, NSA\*  
10%

70.09.100  
Rear view glass mirrors\*  
15%

73.03.000  
Waste and scrap metal of iron and steel\*  
Duty free

73.10.100  
Wire rod in coils\*  
Duty free



73.10.200

Bars and rods of iron and steel (not wire rod in coils) decorated but not worked further\*

Duty free

73.10.900

Bars and rods of iron and steel, NSA and hollow mining drill steel\*  
30%

73.13.100

.200

.300

.400

.900

Sheets and plates of iron or steel, hot or cold rolled\*  
\$5 per tonne

Duty free

Duty free and 7% pr

Duty free

30% and 3% pr

73.14.100

.900

Iron or steel wire, not insulated\*  
Duty free

Duty free

Ex 73.21.900

Door and window frames of iron or steel\*  
10%

73.23.000

Casks, drums, cans etc of sheet or plate of iron or steel\*  
30%

73.25.100

Stranded wire cables etc used as shafting for flexible transmissions\*  
Duty free

73.25.900

Other stranded wire cables etc of iron and steel\*

Duty free

73.26.000

Barbed iron or steel wire, twisted, hoop or single flat wire etc of a kind used for fencing\*

Duty free

Ex 73.27.900

Fencing material of iron and steel\*

Duty free

73.31.100

Horse shoe nails, of iron and steel\*

Duty free

73.31.200

Drawing pins, of iron and steel\*

25%

73.31.300

Spikes of iron and steel\*

20%

73.31.900

Other nails, tacks, staples etc NSA\*

3%

73.32.100

Cotters and cotter pins screw hooks and screw rings, of iron and steel\*

Duty free

73.32.900

Other bolts and nuts, rivets, washers, etc of iron and steel\*

10%

73.34.100

.900

Pins, hairpins of iron or steel\*

10%

Duty free

73.38.100

Kettles, saucepans, boilers, sewing machine bobbins, soda water siphons, of iron and steel\*

Duty free

73.38.200

Smoking requisites of iron and steel\*

15%

73.38.300

Furniture, stationery and parts thereof of iron and steel\*

20%

73.38.400

Kitchenware, soap racks stove toasters\*

23%

73.38.500

Hollowware and tableware of stainless steel, plated tableware\*

20%

73.38.700

Pot scourers and pads, gloves, steel wool, etc\*

10%

73.38.900

Other goods NSA, of a kind commonly used for domestic purposes\*

25%

74.15.100

Nails, tacks, staples etc of copper or of iron or steel with heads of copper\*

15%

74.15.900

Bolts and nuts, screws, rivets, cotters, washers etc of copper\*

15%

74.18.100

Goods of copper alloy in which the alloy contains more than 10% of nickel\*

Duty free

74.18.210

Smoking requisites of copper\*

15%

74.18.290

Dishes, pots, pans or plate washes, wire kitchenware and plated tableware of copper\*

15%

74.18.900  
Other goods used for domestic purposes, of copper\*  
15%

Ex 78.06.000  
Lead washers\*  
21%

Ex 82.01.100  
Spades of base metal\*  
15%

82.01.200  
Hoes, forks, rakes, trowels, turf edges and the like, of base metal\*  
10%

Ex 82.01.900  
Cane knives of base metal\*  
Duty free

82.11.200  
Double edged safety razor blades\*  
12.5%

Ex 82.11.900  
Other razor blades\*  
Duty free

83.04.000  
Filing cabinets, racks, etc and similar office equipment of base metal\*  
Duty free

83.05.100  
Staples of base metal\*  
Duty free

Ex 83.05.900  
Gem clips and paper pins, and clips\*  
18%

Ex 83.07.200  
Hurricane lamps\*  
Duty free

Ex 83.07.900  
Kerosene lamps\*  
Duty free

83.09.100

.200

.300

.400

.900

Clasps, frames, buckles, hooks etc of base metal\*  
15%

Duty free

10%

(1) 15%

(2) 15%

10%

83.13.100

Capsules of base metal\*  
20%

83.13.900

Stoppers, crown corks, bottle caps, bung covers, seals of plombs, case corner protectors and other packing accessories of base metal\*  
10%

96..06.000

Hand sieves and riddles of any material\*  
Duty free

97.01.100

Bicycles, tricycles and quadricycles\*  
27%

97.01.200

Saddles and accessories of leather or rubber for bicycles etc\*  
20%

97.01.300

Parts, etc for bicycles, tricycles, quadricycles\*  
Duty free

97.01.900  
Other wheeled toys, dolls' prams, etc\*  
20%

97.02.000  
Dolls\*  
15%

97.03.100(1)

(2)  
Radio remote control toys and working models\*

Books, toy microscopes, and radio receivers\*  
30%

The DC rate of duty that, but for this item, would apply if the goods were not toys or models or parts or accessories therefore, or if that rate is equal to the GT rate, that rate less 10% of V.

97.03.900(1)

(2)  
Balloons\*

Other toys and working models, NSA\*  
24%

Duty free

98.01.110  
Buttons and button moulds of casein, synthetic materials imitation pearl shell or imitation trouchus shell\*  
An amount per gross being the product of \$0.009 and the number (disregarding any fraction) obtained by dividing the maximum transverse diameter of the goods in mm by 0.635 less 15% of V.

98.01.120  
Button and button moulds of vegetable ivory, animal shell, bone, horn or ivory\*  
Duty free

98.01.190  
Buttons and button moulds of other materials\*  
10%

98.01.210  
Press fasteners of the two-piece sew-on kind, and parts  
Duty free

- 98.01.290  
Other press fasteners and parts\*  
10%
- 98.01.900  
Studs, cufflinks and parts\*  
20%
- 98.03.100  
Pen and pencil sets for school use\*  
10%
- 98.03.200  
Fountain pens, pen and pencil sets, NSA, propelling and sliding pencils\*  
10%
- 98.03.300  
Ball point pens and pencils, complete\*  
Duty free
- 98.03.400  
Assembled refills for ball point pens, ball point pens, and pencils without refills\*  
Duty free
- 98.03.500  
Parts and fittings for ball point pens and pencils\*  
Duty free
- 98.03.900  
Other fountain pens, stylograph pens, and other pens, penholders and similar holders\*  
Duty free
- 98.05.100  
Pencils other than slate pencils\*  
Duty free
- 98.05.200  
Pencil leads\*  
Duty free
- 98.05.900  
Slate pencils, crayons and pastels, drawing charcoals, and chalks, tailors and billiard chalks\*  
Duty free
- 98.12.100

Combs, not being of ornamental character, etc\*  
7%

98.12.900  
Other combs, hair slides and the like\*  
15%

\* Denotes goods currently under reference to an Australian assistance advisory body. Revised access arrangements for Forum Island countries on these goods will be considered when the Australian Government considers the relevant assistance advisory bodies' reports. [Footnote appearing in original text.]

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### SCHEDULE 3 - NEW ZEALAND

The goods listed in this Schedule wholly obtained or partly manufactured in Forum Island countries shall be subject to such tariffs and quantitative treatment as would apply on import into New Zealand to such goods in the absence of this Agreement, except as may be otherwise specified herein.

#### CCN

Description  
Specific conditions for Forum Island countries

Tariffs  
Licensing

Ex 07.01  
Vegetables, fresh or chilled: viz

- tomatoes, capsicums  
Licence issued on demand

Ex 08.10  
Fruit (whether or not cooked), preserved by freezing, not containing added sugar: viz

- passionfruit  
Free  
Licences issued on demand subject to conditions to be determined by the competent authorities

Ex 12.01  
Oil seeds and oleaginous fruit, whole or broken: viz

- copra



Licences issued on demand subject to conditions to be determined by the competent authorities

Ex 15.07

Fixed vegetable oils, fluid or solid, crude refined or purified: viz

- coconut (copra) oil
- Free

Licences issued on demand subject to conditions to be determined by the competent authorities

Ex.20.03

Fruit preserved by freezing, containing added sugar: viz

- passionfruit

Licences issued on demand subject to conditions to be determined by the competent authorities

Ex.20.06

Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: viz

- pineapple
- 10%

Ex.20.07

Fruit juices (including grape must) and vegetable juices whether or not containing added sugar, but unfermented and not containing spirit : viz

- pineapple juice
- - in bulk containers
- - other pineapple juice
- orange juice
- - in bulk containers, not containing added sugar
- - other orange juice
- lime juice
- - in bulk containers, containing added sugar
- - in bulk containers not containing added sugar

- - other lime juice
- grapefruit juice, passionfruit juice
- - in bulk containers, not containing added sugar
- - other grapefruit juice and other passionfruit juice

10%

10%

10%

10%

10%

10%

Licences issued on demand

Licences issued on demand

Licences issued on demand

Licences issued on demand

Licences issued on demand

Ex 21.07

- Food preparations not elsewhere specified or included: viz
- coconut cream
- Free

Ex Chapter 60

- Knitted and crocheted goods viz.
- articles of apparel
- Free

Chapter 61

- Articles of apparel and clothing accessories of textile fabric, other than knitted or crocheted goods
- Free

Chapter 64

- Footwear, gaiters and the like, parts of such articles

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AMENDMENTS TO SPARTECA

[4]

(April 1989)

A. Article III

Access conditions

Delete paragraph 1 and insert new paragraph as follows:

"1. Subject to the provisions of this Agreement the Government of Australia shall permit the duty free and unrestricted entry of all goods which originate in and are imported from Forum Island Countries, except those goods listed in Schedule A to this Agreement which shall be subject to such treatment as may be specified in the Australian Customs Act and the Australian Customs Tariff."

Amend paragraph 2 by deleting the words "Schedule 3" and inserting the words "Schedule B".

B. Article V

Delete paragraph 1 and insert the following two paragraphs:

"1. Goods shall be treated by the Government of Australia as originating in the territory of a Forum Island Country if those goods are:

- (a) the unmanufactured raw products of a Forum Island Country; or
- (b) manufactured goods, in relation to which:
  - (i) the process last performed in the manufacture of the goods was performed in a Forum Island Country; and
  - (ii) not less than 50 percent of the factory or works costs of the goods is represented by the value of labour or materials, or both, of:
    - (a) a Forum Island Country; or
    - (b) a Forum Island Country and one or more other Forum Island Countries; or
    - (c) one or more Forum Island Countries and Australia; or

(d) one or more Forum Island Countries and New Zealand (subject to paragraph 2 of this Article); or

(e) one or more Forum Island Countries, Australia and New Zealand (subject to paragraph 2 of this Article).

2. Before the provisions of sub-paragraph (b)(ii)(d) or sub-paragraph (b)(ii)(e) of paragraph 1 of this Article can be applied, the following additional requirements must be complied with:

(a) not less than 25 percent of the factory or works costs of the goods is represented by the value of labour or materials, or both, or one or more Forum Island Countries; and

(b) the products of New Zealand origin included in the goods consist of products traded free of duty and quantitative and other restrictions between Australia and New Zealand at the time of importation."

Renumber the existing paragraph 2 as paragraph 3. Delete existing sub-paragraph 2(b) and insert after renumbered sub-paragraph 3(a) the following new sub-paragraphs 3(b) and 3(c):

"(b) Goods partly manufactured in the territory of a Forum Island Country subject to the following conditions:

(i) that the process last performed in the manufacture of the goods was performed in the territory of a Forum Island Country; and

(ii) not less than 50 percent of the factory or works costs (as defined in the New Zealand Customs Regulations) of the goods in their finished state is represented by the value of labour or materials or both of:

(a) a Forum Island Country; or

(b) a Forum Island Country and one or more other Forum Island Countries; or

(c) one or more Forum Island Countries and New Zealand; or

(d) one or more Forum Island Countries and Australia (subject to paragraph (c) of this Article); or

(e) one or more Forum Island Countries, Australia and New Zealand (subject to paragraph (c) of this Article).

(c) Before the provisions of sub-paragraph (b)(ii)(d) or sub-paragraph (b)(ii)(e) of paragraph 3 can be applied, the following additional requirements must be complied with:

(i) not less than 25 percent of the factory or works costs of the goods is represented by the value of labour or materials, or both, or one or more Forum Island Countries; and

(ii) the products of Australian origin included in the goods consist of products traded free of duty and quantitative restrictions between New Zealand and Australia at the time of importation."

Delete existing paragraph 3(a) and insert the following paragraph:

"4. (a) In special circumstances either the Government of Australia or the Government of New Zealand may determine that the expenditure referred to in paragraph 1(b)(ii) of this Article in the case of the Government of Australia or paragraph 3(b)(ii) of this Article in the case of the Government of New Zealand may be less than 50 percent of the factory or works costs of the goods in their finished state for particular goods or classes of goods. Any such determination may be applied to all such goods originating from the Forum Island Countries or restricted to goods from individual Forum Island Countries."

Renumber existing sub-paragraph 3(b) as sub-paragraph 4(b).

Renumber existing paragraph 4 as paragraph 5. In the renumbered paragraph 5 delete the words "paragraph 3" and insert "paragraph 4".

#### C. Article VI

Delete paragraph 1 and insert new paragraph as follows:

"General exceptions

1. Provided that such measures are not used as a means of arbitrary or unjustifiable discrimination or as a disguised restriction on trade, nothing in this Agreement shall preclude the adoption or enforcement by the Government of Australia or the Government of New Zealand of measures:

(a) necessary for the protection of its essential security interests;

(b) necessary to protect public morals and the prevention of disorder or crime;

(c) necessary to protect human, animal or plant life or health;

(d) necessary to protect industrial property rights, copyrights or prevent unfair, deceptive or misleading practices;

(e) necessary to secure compliance with laws or regulations relating to customs enforcement, to tax avoidance and evasion and to foreign exchange control or for the application of standards or of regulations for the classification, grading or marketing of goods, or to the operation of recognised commodity marketing boards;

- (f) relating to goods the importation of which is prohibited by law;
- (g) relating to trade in gold and silver; or
- (h) relating to obligations entered into in the context of multilateral or bilateral commodity agreements whilst taking account of any special needs and interests of Forum Island countries."

D. Article VII

Delete paragraphs 1 to 7 of this Article and insert the following:

"Australia

1. If, as a result of the application of this Agreement, goods are being imported into Australia in such quantities or under such conditions as to cause or threaten to serious injury to domestic producers of like or directly competitive goods, the Government of Australia may, in respect of such goods, suspend its obligations to the extent and for such time as may be necessary to prevent or remedy such injury, bearing in mind the objectives of this Agreement.

2. Before taking action pursuant to paragraph 1 of this Article or to vary the treatment accorded goods listed in Schedule A, the Government of Australia shall apply the following procedures:

(a) The Government of Australia shall give notice in writing to the Director who shall inform the other Parties of the action proposed.

(b) The Government of Australia shall afford those Governments of Forum Island Countries which have an interest as exporters of the product concerned as opportunity to consult with respect to the proposed action. Such consultations shall be held within a period of 90 days of the receipt by the Director of the notification by the Government of Australia of the proposed action.

(c) If a mutually satisfactory solution is reached through the application of the procedures provided for in sub-paragraphs (a) and (b) of this paragraph, the Director shall notify the Parties of any decision to modify Schedule A to this Agreement and the date on which that modification shall take effect.

(d) If a mutually satisfactory solution is not reached within a period of 90 days from the commencement of the consultations referred to in sub-paragraph (b) of this paragraph, the Government of Australia shall advise the Director of its decision, upon which the Director shall advise all the Parties. Before taking this action, the Government of Australia shall ensure that:

- (i) an inquiry has been held by an Australian assistance advisory body; and
- (ii) all the Governments of Forum Island Countries are given prior notice of the terms of the inquiry.

3. Notwithstanding the provisions of paragraphs 1 and 2 of this Article, the Government of Australia may suspend its obligations in the manner referred to in paragraph 1 of this Article without prior consultation where, in its opinion, the circumstances are so critical that delay would cause severe difficulty before consultations provided for in sub-paragraph 2(b) of this Article could be held. In taking provisional action under this paragraph, the Government of Australia shall provide urgent written advice of the action taken to the Director who shall notify the other Parties.

4. Any action taken under the provisions of paragraph 3 of this Article shall cease to have effect 90 days after the implementation of the action, unless, within that period the Government of Australia has afforded the Governments of interested Forum Island Countries the opportunity to consult with it on the matter and has:

- (i) undertaken to hold a prompt inquiry by an Australian assistance advisory body; and
- (ii) informed the Governments of the Forum Island Countries of the terms of the inquiry."

Renumber the existing paragraphs 8 to 12 as paragraphs 5 to 9.

#### E. The Schedules

Delete present "Schedules 1 and 2" and insert "Schedule A - Australia".

Amend the title of present "Schedule 3" to read "Schedule B - New Zealand". [1] Signed for Australia 14 July 1980. Instrument of ratification deposited for Australia 31 May 1982.

[2] The Agreement entered into force 1 January 1981.

[3] The Agreement entered into force for Australia 30 June 1982.

[4] The Amendments entered into force for Australia and generally 14 September 1989.