



Bare Facts

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Bringing you the bear essentials

Matt's top tip

ASEAN Australia New Zealand Free Trade Agreement (AANZFTA)

The Australian Government has announced that the AANZFTA is due to commence later in 2009 but no later than 1 January 2010. However, at this time we have not seen any legislation implementing the AANZFTA.

The parties to the AANZFTA are Australia, New Zealand, Burma, Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, the Philippines, Singapore, Thailand and Vietnam.

When the AANZFTA commences, most goods manufactured in these countries which comply with the Rules of Origin of the AANZFTA will be duty free with the remainder eligible for entry at reduced duty rates (except for alcohol, tobacco and petroleum products which, if manufactured in Australia, would be subject to excise duties).

One of the main issues that an importer will need to be aware of to claim preferential duty rates under the AANZFTA, is that for each shipment they will need to have a Certificate of Origin (COO) specific to that shipment. The COO is obtained by the supplier from the relevant Government Authority in the country of export.

If the implementation of the AANZFTA follows along the lines of the Thai-Australia FTA, then exporters / manufacturers will need to be registered for the purposes of the AANZFTA in the country of export before any COO's can be issued and COO's will not be issued for any exports that occur prior to commencement of the AANZFTA.

As such, it is recommended that importers should start talking with their suppliers about these issues and you may wish to consider the timing of your imports due around the time the AANZFTA commences.

Australia also currently has Free Trade Agreements with New Zealand, Chile, Thailand, Singapore and the USA and is currently negotiating separate free trade agreements with China, Japan, South Korea, Malaysia, the Gulf Co-Operation Council (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates). Australia is also undertaking FTA feasibility studies with India and Indonesia and an upgrade of the PACER Agreement with the Forum Island Countries).

For further information on any of the Free Trade Agreements please contact me on 02 9669 3011.

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In this issue... AQIS changes Port Botany news Transport and Storage Customs Audit Program

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AQIS Changes commence for goods imported on or after 1st August 2009.

The Australian Quarantine & Inspection Service has announced changes that will effect importations arriving in Australia on or after 1 August 2009.

Shipments which arrive in Australia after 1st August 2009 will need Quarantine documentation that complies with the changes over the page.

AQIS has advised that in regard to Packing Declarations and Treatment Certificates, the old format will continue to be acceptable for shipments assessed prior to 1 September 2009.

Revised Packing Declarations and other documents can be found on the JJ Lawson website at www.jjlawson.com.au.

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AQIS Changes commence for goods imported on or after 1st August 2009.

AQIS DOCUMENTATION - GENERAL

- Any documents issued by your overseas supplier or treatment provider that are more than one page in length must have their reference number on each page.
- All documents must be in English, except the letterhead.

AQIS IMPORT PERMITS

Import permits must be valid at time of importation so you need to have your import permit in place prior to the goods being imported.

If you apply for an import permit after the goods are imported, you will be relying on the good graces of the AQIS officer processing your shipment as to whether they will accept a permit that is outside the validity period of the permit (ie the importation occurred prior to the commencement date of the Import Permit).

PACKING DECLARATIONS

There are new format Packing Declarations – both Shipment by Shipment and Annual Packing Declarations.

The ISPM 15 Statement is now mandatory on all Packing Declarations.

New format Packing Declarations must be used for

- Shipment by Shipment Packing Declarations for all FCL or LCL consignments arriving on or after 1 August 2009.
- Annual Packing Declarations for all goods packed on or after 1 August 2009.

However all current Annual Packing Declarations with expiry dates from 1 August 2009 will remain valid, however they must be renewed for any shipments arriving prior to 1 January 2010.

Annual Packing Declarations will only be valid if all the following are met,

- The Original of the Annual Packing Declaration is presented to AQIS and is endorsed as approved by them;
- Shipments are packed during the validity period of the Annual Packing Declaration – that is within 12 months after the date of the Annual Packing Declaration;
- Shipments must arrive during the validity period, that is within 12 months after the date of the Annual Packing Declaration.

This last dot point is a new additional criteria for Annual Packing Declarations.

TREATMENT CERTIFICATES

There is new information required on the various types of Treatment Certificates – copies of treatment certificates with the minimum information required is attached.

The main changes are,

- All Treatment Certificates must state either the quantity or volume of timber that was treated.
- ISPM 15 Treatment Certificates are no longer acceptable however ISPM 15 Statements on the Packing Declaration remain acceptable - No treatment certificate is required if Question 2b on the Packing Declaration is answered "Yes".
- Heat Treatment Certificates (as distinct from Kiln Drying Certificates) are only acceptable if they are issued under the appropriate Government Programs in Canada, United Kingdom, USA, Netherlands or France - or as part of a Phytosanitary Certificate.
- All Fumigation Certificates must state the date the treatment started and the date the treatment was completed.
- Methyl Bromide Fumigation Certificates must now have a plastic wrap declaration stating
 - "Plastic wrapping has not been used in this consignment"; or
 - "This consignment has been fumigated before application of plastic wrapping"; or

- "Plastic wrapping used in this consignment conforms to the AQIS wrapping and perforation standard as found in the AQIS Methyl Bromide Fumigation Standard".

- Ethylene Oxide is now an acceptable treatment for timber packing materials provided it is conducted
 - By an approved offshore Ethylene Oxide fumigation provider (currently there is only one treatment provider in Indonesia and 3 in Malaysia that are approved - please contact us for the names of those companies)
 - Under minimum vacuum of 50 kilopascals at 1500g/m³ for 4 hours at 50°C; or
 - At 1500g/m³ for 24 hours at 21°C.
- Gamma Irradiation is now acceptable treatment for timber packing materials provided it is conducted,
 - By an approved offshore Gamma Irradiation treatment provider – currently only certain companies in Germany, Israel, the Netherlands, New Zealand, South Africa, UK and the USA are approved - please contact us for the names of those companies.
 - Gamma irradiate at 10 kGray (1.0 Mrad).
- Fumigation (Methyl Bromide and Sulphuryl Fluoride only), Heat Treatment and Kiln Drying treatments must be conducted within 21 days of export – the date of export is the date the cargo is laden on board the ship or the date the cargo is left with the freight forwarder. The date of containerization will not be treated as the date of export.
- Please Note that Heat Treatment Certificates (as distinct from Kiln Drying Certificates) are only acceptable if they are issued under the appropriate Government Programs in Canada, United Kingdom, USA, the Netherlands, France - please contact us for the names of those programs.

PORT BOTANY LANDSIDE CHANGES

There are currently changes pending at Port Botany that will affect many Carriers, Importers & Exporters.

The Sydney Ports Corporation has been working for some time now on a proposal to introduce State Government /IPART recommended reforms to Sydney terminals. These changes will affect Carriers using the terminal and importers and exporters alike.

Amongst other things, a Peak Period Surcharge is to be introduced and could take effect from January 2010. The aim of this new surcharge is to encourage the industry as a whole to increase use of the terminals during off-peak periods. JJ Lawson aims to talk to those that may be most affected in coming months.

It is important to note that at this stage (time of print) that the fee structure, based on vehicle entry into the Terminal, is not yet confirmed.

The times currently indicated to be allocated per fee are as follows:

Proposed Period Times:

Peak - 5am to 1pm Weekdays

Shoulder - 1pm to 9pm Weekdays

Off-peak - All other weekday times (incl. public holidays)

Weekend - Saturday & Sunday (midnight -midnight)

JJ Lawson is involved in industry briefings that are ongoing and aims to keep customers informed as new information becomes available.

Please feel free to contact JJ Lawson at anytime. If you have any questions, please call **Greg Lawson** on **02 9755 5855** or **Marty Lawson** on **02 9669 3011**

More information is also available at

www.sydneyports.com.au/port_development/landside_improvement

Online invoicing

If you would prefer to receive your invoices by email rather than AusPost, please send your email contact details to accounts@jjlawson.com.au.

Remember to include the addresses of all of the relevant recipients.

Website news

Regular visitors to our website will have noticed a few updates. The answers to most of your questions regarding imports, exports, freight and transport can be found online at www.jjlawson.com.au along with an extensive selection of forms for download and online shipment tracking. Payments can also be made through our secure online facility.

Most importantly, www.jjlawson.com.au is updated daily with the latest news and announcements from Customs, AQIS and all other relevant bodies so you can be aware of any upcoming changes prior to making import and export decisions.

Our website will soon have a fresh new look and improved functionality, anticipated to go live on 1st Sept.

For any website-related queries, or if you would like to receive Bare Facts (in either HTML or text) by email, contact marty@jjlawson.com.au or call 02 9669 3011.

Matt's top tip - continued from cover

DUTY RATE CHANGES due on 1/1/2010

On 1 January 2010 there are a number of Customs Duty Rate Reductions scheduled to come into force, mainly in the TCF and automotive areas.

In the TCF area,

- if goods currently have a duty rate of 17.5% these will reduce to 10%
- if goods currently have a duty rate of 10% these will reduce to 5%
- if goods currently have a duty rate of 7.5% these will reduce to 5%

For Motor Vehicles and Motor Vehicle parts if these goods currently have a duty rate of 10% this will reduce to 5%.

Customs Audit Program 2009-10

The Australian Customs Service has undergone a name change and is now known as the Australian Customs and Border Protection Service (AC&BPS).

The AC&BPS has announced as part of its audit program for 2009-2010 the return of targeted desk top audits on live import shipments. Customs will be sampling 6000-7000 shipments Australia-wide over the next 12 months for documentary checks.

In addition, the AC&BPS has also announced that it will commence desk top audits of export documentation for correctness.

As these desk audits will need to be completed before goods are released, it is now even more important that importers provide us with import and export documents as early as possible.

Also, as a reminder, if the documents you provide to us do not reflect all costs or other matters pertinent to the shipment, you need to disclose these matters to us. Issues that may not always be disclosed on invoices include deposits paid, royalties, the costs of assists provided by the importer to the supplier for incorporation or use in the manufacture of the imported goods (including dyes or moulds) or the cost and make (and trim) value is only stated but the value of the materials which have been supplied free of charge or which have been separately invoiced are not disclosed.

Quarantine Changes

Quarantine Changes – due to start 1 August 2009 however documentary requirements applicable to shipments arriving before 1 August 2009 can still be used for shipments processed before 1 September 2009.

Matt McAuliffe
Consultant
Indirect Taxation

Transport and Storage - ALL you need!



JJL Transport has an array of storage and transport capabilities that ensure the accurate and timely management of your freight.

Our transport depot in Chipping Norton sits on 20,000 m2 of land with over 5500m3 of modern racked and bulk storage warehousing. We manage our container handling and storage facilities with our recently acquired Omega 40-tonne rated container-handling forklift.

Our modern fleet of well-maintained trucks and trailers - including utes, vans, prime movers, rigid table tops, rigid tautliners, 45' tautliners, sideloaders, retractable trailers, B-doubles and an extendable back-drop deck - enable us to service all transport, storage and distribution requirements.

JJL Transport's dedicated team has enviable experience in all aspects of storage and transport and welcome any questions you may have.

Services offered by JJL Transport include:

- Container transport – our speciality – we offer a premium service to all importers, exporters and freight forwarders
- Container unloads – we have various types of forklifts along with a jib, slip-sheeter and other specialised handling machinery for all types of unloads
- Storage – we can store anything... parcels, pallets, bulk goods, containers (including reefers) and oversize plant and machinery
- Pick and Pack – we can handle all of your warehouse requirements by the kilo, the pallet or however you prefer to distribute
- Distribution – one pallet or a hundred - from our warehouse, your warehouse or any nominated depot - we can pick up and deliver throughout Sydney Metro and beyond
- Warehousing – we can operate as a fully functioning 3PL warehouse or as an overflow facility for your own warehouse
- Oversize and Out of Gauge movements – we have the specialised equipment and knowledge to handle this occasionally complex task
- Dangerous Goods Cartage – most of our drivers and vehicles are licensed and equipped to carry most classes of Hazardous Goods.

Please call Greg on 02 9755 5855 to discuss how we may be able to improve the cost and efficiencies of your logistical needs or email greg@jjtransport.com.au

BEAR BITS



Smokey Bear has become a part of American culture since his introduction in 1944. Known to almost all Americans, he and his message, "Only You Can Prevent Forest Fires" (updated in 2001 to "Only You Can Prevent Wildfires") has been a symbol of preserving woodlands. Smokey wears a hat similar to one worn by many U.S. state police officers, giving rise to the CB slang "bear" or "Smokey" for the highway patrol.



Newcastle – Australia's first port

The Awabakal people lived in the Newcastle area for countless generations. To the Awabakal, Newcastle was known as Muloobinba, translated as Mu-lu-bin (edible sea fern) –ba (place of).

Lieutenant Shortland was the first white man to explore and name the place, and it is his original landing at Signal Hill (Fort Scratchley) and Stockton on September 9, 1797, which Newcastle has chosen to mark as the founding of the city. Captain Cook had earlier marked on a map the rocky islet of Nobby's Head at its mouth as he sailed north on May 10, 1770.

Shortland reported on the abundance of coal in the area and in 1799 the first shipment of coal was sent to Bengal making Newcastle Australia's first commercial port.

The first settlement of Newcastle was short lived, ending with a mutiny and closing in early 1802, after sinking what is believed to be the first coal mine in the Southern Hemisphere at Colliers Point (now Fort Scratchley).

A new settlement of Newcastle was established in 1804 as a place of secondary punishment for unmanageable convicts and was re-named Newcastle, after England's famous coal port. The new settlement, comprising of convicts and a military guard, arrived at the Hunter River on the 10 March 1804, under the appointment of Superintendent Lieutenant Charles Menzies.

Captain James Wallis (commandant from 1815 to 1818) laid out the streets of Newcastle, built the first church (on the site of the present Christ Church Cathedral), erected the old gaol on the seashore, and began work on the breakwater, which now joins Nobby's to the mainland. The quality of these buildings was poor and only a much-reinforced breakwall survived. In 1816, a public school was built in East Newcastle for the children of soldiers and convicts, making Newcastle East Public School Australia's oldest school.

The Bogey Hole was built in 1819 when Major James Morisset, the town commandant, ordered a swimming hole for his own personal use. Originally called the Commandant's Baths, it was made by convicts who cut into a tidal rock platform at the bottom of what is now King Edward Park. The current name is an aboriginal word meaning 'to bathe'.

Newcastle's time as a penal colony ended in 1823 and the town began to acquire the aspect of a typical Australian pioneer settlement, with a steady flow of free settlers pouring into the area.

In 1847, Newcastle was proclaimed a city and named as the centre of a new Anglican Bishopric, meaning the structurally questionable Christ Church became a Cathedral.

Construction of a lighthouse on Nobby's Headland was begun in 1856, replacing the original signal mast set up in 1804, and has been guiding ships into Newcastle Harbour since 1858.

1876 saw the construction of Customs House and in 1881 work on Fort Scratchley commenced because of fear of a Russian invasion.



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J.J. LAWSON PTY LTD
CUSTOMS & FREIGHT BROKERS

ABN 82 001 279 901 ACN 001 279 901

Head Office:

2 - 6 Duguid Street Mascot NSW 2020
P.O. Box 489 Mascot NSW 1460
Phone: +61 (02) 9669 3011
Fax: +61 (02) 9693 5872
Email: bears@jjlawson.com.au
www.jjlawson.com.au

Transport:

49 - 51 Riverside Road Chipping Norton NSW 2170
Phone: +61 (02) 9755 5855
Fax: +61 (02) 9755 5191
Email: bears@jjltransport.com.au
www.jjltransport.com.au