DATE INTRODUCED: 30 April 1981
HOUSE: House of Representatives
PRESENTED BY: Hon. J.C. Moore, Minister for Business and Consumer Affairs

SHORT DIGEST OF BILL

PURPOSE

To enable penalties to be imposed on a person who refuses or fails to give a security for payment of a penalty that might be incurred in respect of an undertaking that must accompany a tender for the right to import textiles, clothing and footwear subject to tariff quotas.

BACKGROUND

The Customs Amendment (Tenders) Bill 1981 enables the Minister to devise a scheme for tendering for part of the tariff quotas to apply to imports of certain textiles, clothing and footwear from 1 January 1982. To try to ensure that only genuine tenderers bid for the quotas, tenders will not be accepted unless they are accompanied by an undertaking to the effect that, if the tender is successful, the tenderer will use all of the quota allocated to him to import goods. Failure to meet this undertaking will attract a penalty under the Customs Undertakings (Penalties) Bill 1981. The present Bill provides that a successful tender must be accompanied by a security to cover such a penalty, and the refusal or failure of the tenderer to provide such a security will attract a penalty under this Bill.

PROVISIONS

Clause 1 gives the short title of the Bill.

Clause 2 gives the commencement date.

Clause 3 defines a number of the terms used in the Bill.

Clause 4—the main clause—provides that where a tender has been accepted, if the tenderer refuses or fails to give a security to cover a penalty which may be imposed under the proposed Customs Undertakings (Penalties) Act...
1981, that refusal or failure is itself subject to penalty. The penalty is an amount equal to the prescribed percentage of the value of the goods to which the undertaking relates.

For further information, if required, contact:

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6 May 1981

REFERENCES