

No. 5 of 2019.

Customs Tariff (Papua LNG Project)(Amendment) Act 2019.

Certified on : 23/12/2019



No. of 2019.

Customs Tariff (Papua LNG Project)(Amendment) Act 2019.

ARRANGEMENT OF SECTION.

New Section 9C.

“9C. EXEMPTION FOR PAPUA LNG PROJECT.”.



No. of 2019.

AN ACT

entitled

Customs Tariff (Papua LNG Project)(Amendment) Act 2019,

Being an Act to amend the *Customs Tariff Act 1990*,

Made by the National Parliament to come into operation in accordance with a notice in the National Gazette by the Head of State, acting with, and in accordance with, the advice of the Minister.

NEW SECTION 9C.

The Principal Act is amended by inserting after Section 9B the following new section:

“9C. EXEMPTION FOR PAPUA LNG PROJECT.

(1) In this section -

“Operations Delegate” has the meaning given to Operations Delegate in the Papua LNG Gas Agreement;

“Papua LNG Gas Agreement” means the Papua LNG Project Gas Agreement dated 9 April 2019 between the Independent State of Papua New Guinea and each of Total E & P PNG Limited, ExxonMobil PNG Elk Limited, ExxonMobil PNG Antelope Limited, PAC LNG Assets Limited, PAC LNG International Limited, PAC LNG Investments Limited, PAC LNG Overseas Limited and PAC LNG Holdings Limited, as amended, novated or replaced from time to time;

“Project Entity” has the meaning given to Project Entity in the Papua LNG Gas Agreement;

“resource company” has the meaning as defined in the *Goods and Services Tax Act 2003*;

“resource operations” has the meaning as defined in the *Goods and Services Tax Act 2003*.

(2) Notwithstanding any other provision of this Act or the *Customs Act* (Chapter 101), customs duty does not apply to goods, other than cars, imported by any person solely for or in respect of the construction of facilities to be used in the carrying out, or to support the carrying out, of the resource operations of a resource company that is a Project Entity or Operations Delegate.

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(3) To the extent that the provisions of this Act or the ***Customs Act*** (Chapter 101) conflicts with the terms of the Papua LNG Gas Agreement, the terms of the Papua LNG Gas Agreement shall take precedence over the provisions of this Act or the ***Customs Act*** (Chapter 101).”.

I hereby certify that the above is a fair print of the ***Customs Tariff (Papua LNG Project)(Amendment) Act 2019***, which has been made by the National Parliament.

Acting Clerk of the National Parliament.

I hereby certify that the ***Customs Tariff (Papua LNG Project)(Amendment) Act 2019***, was made by the National Parliament on 16 October 2019.

Acting Speaker of the National Parliament.