

Customs and Excise Amendment Bill (No 4)

Government Bill

As reported from the committee of the whole
House

This bill was formerly part of the New Zealand-China Free Trade Agreement Bill as reported from the Foreign Affairs, Defence and Trade Committee. The committee of the whole House has amended the bill and has divided it into the following bills:

- Tariff Amendment Bill comprising Part 1
 - This bill comprising Part 2
 - Radiocommunications Amendment Bill (No 5) comprising Part 3 and the Schedule
 - Fair Trading Amendment Bill (No 2) comprising Part 4
 - Electricity Amendment Bill (No 3) comprising Part 5.
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Hon Phil Goff

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Customs and Excise Amendment Act (No 4)
2008.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

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12 Principal Act amended

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This Part amends the Customs and Excise Act 1996.

13 Purpose

This Part amends the principal Act to provide for a system of issuing New Zealand certificates of origin in relation to goods being exported to China under the Free Trade Agreement between the Government of New Zealand and the Government of the People's Republic of China done at Beijing on 7 April 2008.

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14 New sections 64A to 64C inserted

The following sections are inserted after section 64:

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“64A New Zealand certificates of origin for goods for export to China

“(1) A body authorised by the chief executive under **section 64B** (a **certification body**) may issue a New Zealand certificate of origin in respect of goods for export to China.

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“(2) A New Zealand certificate of origin, in respect of goods for export to China, is a document issued by a certification body that—

“(a) identifies the goods to which it relates; and

“(b) certifies that those goods originate in New Zealand.

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“(3) Goods originate in New Zealand if, for the purposes of the China FTA, the goods satisfy the requirements of the rules of origin prescribed for the China FTA.

“(4) For the purposes of this section, **China FTA** means the Free Trade Agreement between the Government of New Zealand and the Government of the People's Republic of China done at Beijing on 7 April 2008.

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“64B Bodies authorised to issue New Zealand certificates of origin

“(1) The chief executive may designate a body as a certification body if the chief executive is satisfied that the body meets the prescribed criteria (if any). 5

“(2) A designation may be subject to any prescribed terms and conditions and any additional terms and conditions the chief executive thinks fit.

“64C Regulations relating to New Zealand certificates of origin and certification bodies 10

Without limiting the power to make regulations conferred by section 286, the Governor-General may make regulations for any of the following purposes:

“(a) prescribing forms for the purposes of **sections 64A and 64B**; and 15

“(b) prescribing the manner in which applications for designation as a certification body must be made; and

“(c) prescribing criteria for certification bodies; and

“(d) prescribing terms and conditions subject to which designations as a certification body may be made; and 20

“(e) prescribing fees.”

15 Keeping of business records

Section 95(1) is amended by omitting “and exporter” and substituting “exporter, and body authorised to issue a New Zealand certificate of origin under **section 64B**”. 25

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Legislative history

23 July 2008

Divided from New Zealand-China Free Trade Agreement Bill (Bill 210–1) by committee of the whole House as Bill 210–2B
