

## **Fair Trading Amendment Bill (No 2)**

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
  - Customs and Excise Amendment Bill (No 4) comprising Part 2
  - Radiocommunications Amendment Bill (No 5) comprising Part 3 and the Schedule
  - This bill 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 Fair Trading Amendment Act (No 2) **2008**.

**2 Commencement**  
This Act comes into force on 1 October 2008.

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- 20 Principal Act amended**  
**This Part** amends the Fair Trading Act 1986.
- 21 Purpose**  
**This Part** amends the principal Act to implement Annex 14 of 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, namely the Agreement between the Government of New Zealand and the Government of the People’s Republic of China on Cooperation in the Field of Conformity Assessment in Relation to Electrical and Electronic Equipment and Components.
- 22 Application of Act to conduct outside New Zealand**  
Section 3 is amended by adding the following subsection as subsection (2):  
“(2) *See section 51* for the application of this Act in relation to an international trade instrument.”
- 23 New section 51 inserted**  
The following section is inserted after section 50:
- “51 Application of Act to goods that are, or may be, exported to China**
- “(1) This Act applies to conduct or representations relating to goods that are, or may be, exported from New Zealand pursuant to the Conformity Cooperation Agreement in the same way as this Act applies to goods supplied within New Zealand as follows:
- “(a) section 10 applies to conduct relating to goods that are, or may be, exported from New Zealand for supply to China:
- “(b) section 13 applies to representations relating to goods that are, or may be, exported from New Zealand for supply to China:
- “(c) a contravention of section 10 or 13 is an offence under section 40 and may authorise a warrant being issued in New Zealand under section 47(2) to search a place in New Zealand if the contravention relates to goods that

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are, or may be, exported from New Zealand for supply to China.

“(2) In this section, **Conformity Cooperation Agreement** means the Agreement between the Government of New Zealand and the Government of the People’s Republic of China on Cooperation in the Field of Conformity Assessment in Relation to Electrical and Electronic Equipment and Components, which is Annex 14 of 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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**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 210–2D

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