



Tariff Amendment Act 2008

Public Act 2008 No 49
Date of assent 28 July 2008
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Tariff Amendment Act 2008.

2 Commencement

This Act comes into force on 1 October 2008.

3 Principal Act amended

This Act amends the Tariff Act 1988.

*Implementation of preferential tariffs under
New Zealand–China Free Trade Agreement*

4 Purpose

Section 5 amends the principal Act to enable the implementation of preferential tariffs conferred on 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.

5 Application of Tariff

Section 7(1) is amended by adding the following paragraph:

- “(j) in the case of goods—
- “(i) being the produce or manufacture of China; and
 - “(ii) being goods included in a Tariff item in respect of which a rate of duty is specified after the abbreviation ‘CN’ in the column headed ‘Preferential Tariff’,—
- at the rate so specified.”

*Application of transitional safeguard measures
and provisional transitional safeguard measures*

6 Purpose

Sections 7 to 11 amend the principal Act to provide for the application of transitional safeguard measures and provisional transitional safeguard measures in relation to 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.

7 Interpretation

- (1) Section 15A is amended by repealing the definition of **free trade agreement** and substituting the following definition:

“**free trade agreement** means—

- “(a) the Thai FTA; or
- “(b) the China FTA”.

- (2) Section 15A is amended by inserting the following definitions in their appropriate alphabetical order:

“**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

“**Thai FTA** means the New Zealand–Thailand Closer Economic Partnership Agreement done at Bangkok on 19 April 2005”.

8 Chief executive may undertake transitional safeguard investigation

- (1) Section 15B(1) is amended by omitting “the free trade agreement” and substituting “a free trade agreement”.
- (2) Section 15B(2)(b) is amended by omitting “the free trade agreement” and substituting “the relevant free trade agreement”.

9 Application of transitional safeguard measure

- (1) Section 15F(4)(b) is amended by omitting “the free trade agreement” and substituting “the relevant free trade agreement”.
- (2) Section 15F(4)(c) is amended by omitting “the free trade agreement” and substituting “the relevant free trade agreement”.

10 Section 15G substituted

Section 15G is repealed and the following section substituted:

“15G Extension of transitional safeguard measure

The Minister may extend a transitional safeguard measure applied under section 15F if the extension is—

- “(a) consistent with the provisions of the relevant free trade agreement; and
- “(b) not inconsistent with New Zealand’s other international obligations.”

11 Provisional transitional safeguard measure

- (1) Section 15H(1)(a) is amended by omitting “the free trade agreement” and substituting “the relevant free trade agreement”.
 - (2) Section 15H(1) is amended by repealing paragraph (b) and substituting the following paragraph:
 - “(b) there exist,—
 - “(i) in relation to a provisional transitional safeguard measure to be applied under the Thai FTA, highly unusual and critical circumstances; or
 - “(ii) in relation to a provisional transitional safeguard measure to be applied under the China FTA, critical circumstances; and”.
 - (3) Section 15H(4)(b) is amended by omitting “the free trade agreement” and substituting “the relevant free trade agreement”.
 - (4) Section 15H(4)(c) is amended by omitting “the free trade agreement” and substituting “the relevant free trade agreement”.
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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 210–2A

24 July 2008

Third reading

28 July 2008

Royal assent

This Act is administered by the Ministry of Economic Development.
