

Version  
as at 23 December 2023



**Customs Export Prohibition (Green-lipped Mussel Spat)**  
**Order 2022**  
(SL 2022/248)

Cindy Kiro, Governor-General

**Order in Council**

At Wellington this 29th day of August 2022

Present:

Her Excellency the Governor-General in Council

This order is made under section 96 of the Customs and Excise Act 2018—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Customs made after being satisfied of the matter set out in section 96(5) of that Act.

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**Note**

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**This order is administered by the New Zealand Customs Service.**

## Order

### 1 Title

This order is the Customs Export Prohibition (Green-lipped Mussel Spat) Order 2022.

### 2 Commencement

This order comes into force on 1 October 2022.

Order: confirmed, on 23 December 2023, by section 9(a) of the Secondary Legislation Confirmation Act 2023 (2023 No 67).

### 3 Revocation of this order

This order is revoked at the close of 30 September 2027.

### 4 Exportation of live green-lipped mussel spat prohibited

- (1) The exportation of live New Zealand green-lipped mussels with a shell size of less than 50 mm in length is prohibited.
- (2) However, a person may export those mussels if the person—
  - (a) has the consent of the Minister for Oceans and Fisheries; and
  - (b) does so in accordance with the terms of that consent.

Rachel Hayward,  
Acting Clerk of the Executive Council.

## Explanatory note

*This note is not part of the order, but is intended to indicate its general effect.*

This order is made under the Customs and Excise Act 2018 and prohibits the export of live New Zealand green-lipped mussels with a shell size of less than 50 mm in length.

This order comes into force on 1 October 2022 and continues the prohibition in the Customs Export Prohibition (Green-lipped Mussel Spat) Order 2019, which expires at the close of 30 September 2022.

This order must be confirmed by an Act before the close of 31 December 2023. If it is not confirmed, it will be revoked on the close of that date. *See* subpart 3 of Part 5 of the Legislation Act 2019.

If the order is confirmed, it will remain in force for 5 years until the close of 30 September 2027.

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 1 September 2022.

## Notes

### **1** *General*

This is a consolidation of the Customs Export Prohibition (Green-lipped Mussel Spat) Order 2022 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

Secondary Legislation Confirmation Act 2023 (2023 No 67): section 9(a)