



ANALYSIS

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1994, No. 163

An Act to amend the Tariff Act 1988

[15 December 1994]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Tariff Amendment Act 1994, and shall be read together with and deemed part of the Tariff Act 1988 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on a day appointed for the purpose by the Governor-General by Order in Council.

2. Interpretation—Section 2 (1) of the principal Act is hereby amended by inserting, after the definition of the term “shipment”, the following definition:

“‘South Pacific Regional Trade and Economic Co-operation Agreement’ means the agreement of that name done at Tarawa on the 14th day of July 1980; and includes any modification or amendment of it made after that day:”.

3. Application of Tariff—(1) Section 7 (1) (d) of the principal Act is hereby amended by repealing subparagraph (i), and substituting the following subparagraph:

“(i) Being the produce or manufacture of the United Kingdom of Great Britain and Northern Ireland, the Isle of Man, or the Channel Islands; and”.

(2) Section 7 (1) (e) of the principal Act is hereby amended by repealing subparagraph (i), and substituting the following subparagraph:

“(i) Being the produce or manufacture of any country (other than New Zealand or Australia) in relation to which, at the time of the importation or entry of the goods into New Zealand, the South Pacific Regional Trade and Economic Co-operation Agreement is in force; and”.

(3) Section 7 of the principal Act is hereby further amended by inserting, after subsection (1), the following subsections:

“(1A) For the purposes of subsection (1) (e) (i) of this section, any certificate given by the Secretary of Foreign Affairs and Trade to the effect that any country is or is not one in relation to which, at the time of the importation or entry of the goods into New Zealand, the South Pacific Regional Trade and Economic Co-operation Agreement was in force shall be conclusive evidence of that fact.

“(1B) Any Court or any person acting judicially to which or to whom, in any proceeding, any certificate under subsection (1A) of this section is produced shall take judicial notice of the signature on it of the Secretary of Foreign Affairs and Trade.

“(1C) For the purposes of subsection (1B) of this section, the terms ‘Court’, ‘person acting judicially’, and ‘proceeding’ have the meanings assigned to them by the Evidence Act 1908.”

This Act is administered in the Ministry of Commerce.
