

CUSTOMS ACTS AMENDMENT BILL

EXPLANATORY NOTE

This Bill authorises the amendment, by Order in Council, of items and headings in the Customs Tariff (without altering any duties or exemptions) for the purpose of ensuring conformity with the Standard International Trade Classification (Revised) of the United Nations and the Brussels Tariff Nomenclature of the Customs Cooperation Council.

The Bill also alters references to certain Tariff items in the Customs Acts Amendment Acts of 1930 and 1934 (these alterations being consequential on the new Tariff), and confirms certain Orders in Council as required by section 31 of the Customs Amendment Act 1921.

Clause 1 relates to the Short Title.

PART I

CUSTOMS DUTIES

Clause 2: This Part is to be read with the Customs Act 1913.

Clause 3: The new Tariff introduced by the Customs Acts Amendment Act 1961 is based on the Standard International Trade Classification and the Brussels Tariff Nomenclature. The purpose was to achieve uniformity in customs and trade terms with other countries. The international nomenclature is changing from time to time, and it is desired to keep the New Zealand Tariff in line with it.

The new subsection (6A) inserted by *subclause (1)* of this clause therefore authorises the alteration from time to time of the Tariff items and headings by Order in Council. No such alteration is to alter the duties or exemptions applicable to goods classified under any such item or heading.

The new subsection (6B) authorises the amendment by Order in Council of the statistical units shown in the Tariff. The statistical units are the symbols showing weights or measures.

Subclause (2) has the effect of applying section 31 of the Customs Amendment Act 1921 to any Order in Council made under the new subsection (6A). The result is that the Order must be laid before the House, and will expire on the close of the last day of the session unless it is expressly validated or confirmed by Act of Parliament.

Clause 4 alters the references to certain Tariff items in section 16 of the Customs Acts Amendment Act 1934, which relates to conditions to be complied with on the importation of unassembled parts of motor vehicles. The alterations are merely consequential on alterations in the relevant items of the Tariff.

PART II

BEER DUTY

Clause 5: This Part is to be read with Part III of the Finance Act 1915.

Clause 6: When the new Tariff was enacted in 1961, it was not noticed that certain references in section 19 of the Customs Acts Amendment Act 1930 to items of the old Tariff should have been consequentially altered. This clause makes the necessary alterations.

PART III

CONFIRMATION OF ORDERS IN COUNCIL

Clause 7: Section 31 of the Customs Amendment Act 1921, as amended and applied by the Customs Acts Amendment Act 1961, provides that Orders in Council amending the Tariff are to be laid before the House and will expire on the close of the last day of the session in which they are laid, except so far as they are expressly validated or confirmed by Act of Parliament.

This clause confirms the Customs Tariff Amendment Orders specified in the *Schedule*.

Hon. Mr Shelton

CUSTOMS ACTS AMENDMENT

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A BILL INTITULED

An Act to amend the Customs Acts, and to validate and confirm certain Orders in Council made under the authority of the Customs Amendment Act 1921 and the Customs
5 Acts Amendment Act 1961

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. **Short Title**—This Act may be cited as the Customs Acts
10 Amendment Act 1962.

PART I

CUSTOMS DUTIES

2. This Part to be read with Customs Act 1913—This Part of this Act shall be read together with and deemed part of the Customs Act 1913*.

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3. Alterations to wording of Tariff items or headings—

(1) Section 5 of the Customs Acts Amendment Act 1961 is hereby amended by inserting, after subsection (6), the following subsections:

“(6A) If at any time the Governor-General is satisfied that in respect of the wording or numbering of any of the items of the Tariff or any of the headings to any Parts, sections, divisions, groups, subgroups, or items of the Tariff, or the presence or absence of any item or heading, the Tariff does not conform to any international nomenclature or trade classification upon which it is for the time being based, he may by Order in Council amend the Tariff by revoking or amending any item, heading, or number, or by inserting any new item, heading, or number, in such manner as he thinks necessary for the purpose of ensuring that the Tariff conforms to that nomenclature or classification. No amendment made pursuant to this subsection shall alter the duties or exemptions from duty applicable to goods that are classified under any item or heading so revoked or amended.

“(6B) The Governor-General may from time to time, by Order in Council, amend the Tariff by inserting, omitting, or altering any statistical unit.”

(2) Section 5 of the Customs Acts Amendment Act 1961 is hereby further amended by inserting in subsection (8), before the words “subsection (7) of this section”, in both places where those words occur, the words “subsection (6A) or”.

4. Unassembled parts of motor vehicles—(1) Section 16 of the Customs Acts Amendment Act 1934 (as amended by subsection (5) of section 11 of the Customs Acts Amendment Act 1961) is hereby amended by omitting from subsection (1), and also from subsection (3), the words “Tariff items 732.100.1 to 732.100.5, 732.300.1 to 732.300.3, 732.500.1, 732.600.1, and 732.700.1”, and substituting in each case the words “Tariff items 732.100.1 to 732.100.9, 732.300.1 to 732.300.3, 732.500.1, 732.600.1, and 732.700.3”.

(2) The Second Schedule to the Customs Acts Amendment Act 1961 is hereby consequentially amended by repealing so much thereof as relates to section 16 of the Customs Acts Amendment Act 1934.

*1957 Reprint, Vol. 3, p. 545

Amendments: 1958, No. 33; 1959, No. 45; 1960, No. 27; 1961, No. 57

PART II

BEER DUTY

5 **5. This Part to be read with Part III of Finance Act 1915**—This Part of this Act shall be read together with and deemed part of Part III of the Finance Act 1915*.

6. Use of barley and malt by brewers—Section 19 of the Customs Acts Amendment Act 1930 is hereby amended—

10 (a) By omitting the words “Tariff item numbered 4 (3) (a)”, where those words occur in subsections (1), (2), (3), and (4), and substituting in each case the words “Tariff item 043.000.9”:

15 (b) By omitting the words “Tariff item numbered 5 (5)”, where those words occur in subsections (2) and (4), and substituting in each case the words “Tariff item 048.200.0”.

PART III

CONFIRMATION OF ORDERS IN COUNCIL

20 **7. Orders in Council confirmed**—Whereas by section 31 of the Customs Amendment Act 1921 (as amended by section 18 of the Customs Acts Amendment Act 1961) it is provided that every Order in Council made under section 12 of the Customs Amendment Act 1921 and laid before the House of Representatives in any session pursuant to that section shall expire on the close of the last day of that session except so far as it is expressly validated or confirmed by an Act of Parliament passed during that session: And whereas by subsection (8) of section 5 of the Customs Acts Amendment Act 1961 it is provided that the provisions of the said section 31 shall apply to every Order in Council made under subsection (7) of the said section 5: And whereas the Orders in Council specified in the Schedule to this Act have been made under the authority of section 12 of the Customs Amendment Act 1921 and section 5 of the Customs Acts Amendment Act 1961 and have been laid before the House of Representatives during the present session, and it is desirable to validate and confirm those Orders: Be it therefore enacted as follows:

35 The Orders in Council specified in the Schedule to this Act are hereby declared to be valid and are hereby confirmed as required by section 31 of the Customs Amendment Act 40 1921.

*1957 Reprint, Vol. 5, p. 1
Amendment: 1958, No. 33, Part II

Section 7**SCHEDULE**

ORDERS IN COUNCIL MADE UNDER SECTION 12 OF THE CUSTOMS AMENDMENT ACT 1921 AND SECTION 5 OF THE CUSTOMS ACTS AMENDMENT ACT 1961 AND CONFIRMED BY THIS ACT

Title	Statutory Regulations Serial Number
The Customs Tariff Amendment Order 1962	1962/68
The Customs Tariff Amendment Order (No. 2) 1962	1962/92
The Customs Tariff Amendment Order (No. 3) 1962	1962/97
The Customs Tariff Amendment Order (No. 4) 1962	1962/102
The Customs Tariff Amendment Order (No. 5) 1962	1962/189
The Customs Tariff Amendment Order (No. 6) 1962	1962/193