



CUSTOMS IMPORT PROHIBITION ORDER 1999

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 23rd day of August 1999

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 54 of the Customs and Excise Act 1996, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following order.

ANALYSIS

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1. Title and commencement
 2. Expiry
 3. Prohibited asbestos imports
 4. Prohibited offensive weapons imports
 5. Prohibited trade descriptions goods imports
 6. Prohibited whales and whale products imports
 7. Revocations
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- SCHEDULES
- Schedule 1
Prohibited Asbestos Imports
 - Schedule 2
Prohibited Offensive Weapons Imports
 - Schedule 3
Prohibited Trade Descriptions Goods Imports
 - Schedule 4
Prohibited Whales and Whale Products Imports
 - Schedule 5
Orders Revoked
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ORDER

1. Title and commencement—(1) This order may be cited as the Customs Import Prohibition Order 1999.

(2) This order comes into force on 1 October 1999.

2. Expiry—This order expires on the close of 30 September 2002.

3. Prohibited asbestos imports—The importation of the goods specified in Schedule 1 is prohibited, except with the consent of the Minister for Enterprise and Commerce, and subject to such conditions (if any) not inconsistent with this prohibition as may be imposed by the Minister.

4. Prohibited offensive weapons imports—The importation of the goods specified in Schedule 2 is prohibited, except with the consent of, and subject to such conditions (if any) not inconsistent with this prohibition as may be imposed by,—

(a) The Commissioner of Police; or

(b) A Deputy Commissioner of Police; or

(c) The Manager: Licensing and Vetting, New Zealand Police; or

(d) The National Operations Manager, New Zealand Police.

5. Prohibited trade descriptions goods imports—The importation of the goods specified in Schedule 3 is prohibited, except with the consent of the Minister for Food, Fibre, Biosecurity and Border Control, and subject to such conditions (if any) not inconsistent with this prohibition as may be imposed by the Minister.

6. Prohibited whales and whale products imports—The importation of the goods specified in Schedule 4 is prohibited, except with the consent of the Minister of Conservation, and subject to such conditions (if any) not inconsistent with this prohibition as may be imposed by the Minister.

7. Revocations—The orders specified in Schedule 5 are revoked.

SCHEDULES

SCHEDULE 1

Cl. 3

PROHIBITED ASBESTOS IMPORTS

1. Amosite, in its raw fibrous state.
2. Chrysotile, in its raw fibrous state.
3. Crocidolite, in its raw fibrous state.

SCHEDULE 2

Cl. 4

PROHIBITED OFFENSIVE WEAPONS IMPORTS

1. Knuckle-dusters, knives incorporating knuckle-dusters, swordsticks, and any weapon disguised to give the appearance of another article.

2. Any knife having a blade that opens automatically by hand pressure applied to a button, spring, or other device in or attached to the handle of the knife (sometimes known as a “flick knife” or “flick gun”).

3. Any knife having a blade that is released from the handle or sheath by the force of gravity or the application of centrifugal force, and that, when released, is locked in place by means of a button, spring, lever, or other device (sometimes known as a “gravity knife” or “butterfly knife”).

4. Any knife, not being a folding pocket knife with a blade less than 10 cm in length, that—

- (a) Is designed for ease of concealment on the person; or
- (b) Has a double-edged blade that is designed or suitable for stabbing or throwing (as opposed to cutting); or
- (c) Is a knife of any of the kinds sometimes known as “urban skinner”, “terminator”, “black eagle”, “black dagger”, or “throwing knife”.

5. Bayonets.

Cl. 5

SCHEDULE 3

PROHIBITED TRADE DESCRIPTIONS GOODS IMPORTS

1. Any motor vehicle the odometer reading of which does not correctly record the distance the vehicle has been driven.
 2. Any motor vehicle imported without an odometer.
 3. Any goods bearing, or to which there is attached in any manner whatsoever, any statement or indication, including a statement or indication by words, numbers, marks, pictures or symbols, or a combination of those things, that is incorrect or misleading as to—
 - (a) The particular kind or standard, quality, grade, quantity, composition, style, model, particular history, or particular previous use of the goods; or
 - (b) The goods being new, or reconditioned, or manufactured, produced, processed, or reconditioned in a particular place or at a particular time; or
 - (c) The country or place of origin of the goods.
 4. Any goods in respect of which there is applied to any covering, packaging, label, wrapper, ticket, reel or thing in or with which the goods are supplied, any statement or indication, including a statement or indication by words, numbers, marks, pictures or symbols, or a combination of those things, that is incorrect or misleading as to—
 - (a) The particular kind or standard, quality, grade, quantity, composition, style, model, particular history, or particular previous use of the goods; or
 - (b) The goods being new, or reconditioned, or manufactured, produced, processed, or reconditioned in a particular place or at a particular time; or
 - (c) The country or place of origin of the goods.
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SCHEDULE 4

Cl. 6

PROHIBITED WHALES AND WHALE PRODUCTS IMPORTS

1. Live whales:
2. Whale meat and edible whale meat offals, whether packaged in any way or unpackaged, and whether fresh or preserved (for example, chilled, frozen, salted, in brine, dried, or smoked):
3. Whalebone and hair and waste of whalebone:
4. Ambergris:
5. Dead whales, unfit for human consumption:
6. Whale fats and whale oils, whether or not—
 - (a) Refined; or
 - (b) Modified; or
 - (c) Wholly or partly hydrogenated, solidified, or hardened:
7. Spermaceti, crude, pressed, or refined:
8. Whale teeth,—

but excluding whales and whale products washed ashore as a consequence of natural causes on any seashore or on the shores or banks of any port, bay, harbour, lake, river, or other waters.

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SCHEDULE 5
ORDERS REVOKED

Cl. 7

Title	Statutory Regulations Serial Number or <i>Gazette</i> Reference
The Order Prohibiting the Importation of Articles bearing the New Zealand Coat of Arms made on 10 March 1928	<i>Gazette</i> , 1928, p. 748
The Order Prohibiting the Importation of Goods bearing the Royal Arms made on 14 January 1929	<i>Gazette</i> , 1929, p. 128
The Football Pool Coupons Import Prohibition Order 1956	S.R. 1956/44
The Customs Import Prohibition (Whales and Whale Products) Order 1975	S.R. 1975/205
The Customs Import Prohibition (Whales and Whale Products) Order 1975, Amendment No. 1	S.R. 1977/120
The Customs Import Prohibition (Offensive Weapons) Order 1990	S.R. 1990/349
The Customs Import Prohibition (Trade Descriptions) Order 1991	S.R. 1991/122
The Customs Import Prohibition (Asbestos) Order 1999	S.R. 1999/23

MARIE SHROFF,
Clerk of the Executive Council.

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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 1996. It comes into force on 1 October 1999, and expires on the close of 30 September 2002.

Clause 3 continues the prohibition on the importation of certain asbestos imposed in 1984, and continued and extended in 1999. The only change from the 1999 Order is to the words of the clause that relate to the imposition of conditions; to make those words reflect more accurately the words used in the Act.

Clause 4 continues the prohibition on the importation of certain offensive weapons imposed in 1972, extended in 1975, and continued and extended in 1990. There are 2 changes from the 1990 Order. One relates to the persons who may consent to, and impose conditions on, the importation of the offensive weapons. These persons no longer include Assistant Commissioners of Police (an office no longer recognised in the Police Act 1958), but do include the Manager: Licensing and Vetting, New Zealand Police, and the National Operations Manager, New Zealand Police. The other is that bayonets are added to the list of the offensive weapons.

Clause 5 continues the prohibition on the importation of certain trade descriptions goods imposed in 1991. The only change from the 1991 Order is that the Minister for Food, Fibre, Biosecurity and Border Control has replaced the Minister of Customs as the Minister who may give consent to, and impose conditions on, the importation of the trade descriptions goods.

Clause 6 continues the prohibition on the importation of certain whales and whale products imposed in 1975, and extended in 1977. The only change from the 1975 Order is that the Minister of Conservation has replaced the Minister of Customs as the Minister who may give consent to, and impose conditions on, the importation of the whales and whale products.

Clause 7 revokes the prohibitions on the importation of—

- (a) Goods bearing the New Zealand Coat of Arms (imposed in 1928);
- (b) Goods bearing the Royal Arms (imposed in 1929);
- (c) Football pool coupons (imposed in 1956).

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 26 August 1999.

This order is administered in the New Zealand Customs Service.