



THE CUSTOMS REGULATIONS 1968, AMENDMENT NO. 16

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 1st day of December 1980

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Customs Act 1966, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

1. Title and commencement
2. Inward report of aircraft
3. Repacking in warehouse
4. Rewarehousing
5. Grouping of countries

6. South Pacific Forum Island Countries (Group VI)
7. Calculation of factory or works cost
8. Goods entering into the commerce of another country
9. Form of certificate to be produced with invoice

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Customs Regulations 1968, Amendment No. 16, and shall be read together with and deemed part of the Customs Regulations 1968* (hereinafter referred to as the principal regulations).

*Reprinted with Amendments Nos. 1 to 9: S.R. 1975/281
 Amendment No. 10: S.R. 1976/331
 Amendment No. 11: S.R. 1977/69
 Amendment No. 12: S.R. 1977/146
 Amendment No. 13: S.R. 1978/278
 Amendment No. 14: S.R. 1979/97
 Amendment No. 15: S.R. 1980/190

(2) Subject to subclause (3) of this regulation, these regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

(3) Regulations 5, 6, 7, 8, and 9 of these regulations shall come into force on the 1st day of January 1981.

2. Inward report of aircraft—Regulation 22 of the principal regulations (as amended by regulation 2 (1) of the Customs Regulations 1968, Amendment No. 2 and further amended by regulation 2 (1) of the Customs Regulations 1968, Amendment No. 5) is hereby further amended—

- (a) By revoking subclause (1) (b):
- (b) By inserting in subclause (1) (e), after the expression “form 67”, the expression “or form 67A”:
- (c) By omitting from the proviso to subclause (1) the words “the general declaration shall so state, and”:
- (d) By revoking subclause (2) (a):
- (e) By omitting from subclause (2) (b) the word “other”.

3. Repacking in warehouse—Regulation 55 (3) of the principal regulations (as substituted by regulation 7 (1) of the Customs Regulations 1968, Amendment No. 13) is hereby amended by adding the words “, unless otherwise permitted by the Comptroller to be in such other form as may be prescribed”.

4. Rewarehousing—Regulation 61 of the principal regulations is hereby amended by adding the words “, unless otherwise permitted by the Comptroller to be in such other form as may be prescribed”.

5. Grouping of countries—(1) Regulation 69 (1) of the principal regulations (as substituted by regulation 8 (1) of the Customs Regulations 1968, Amendment No. 13) is hereby amended by omitting the expression “and 72B”, and substituting the expression “72B, and 72c”.

(2) Regulation 69 (1) of the principal regulations is hereby further amended by adding the following paragraph:

“(f) Group VI: Countries, the produce or manufacture of which are entitled to be entered under the Tariff in accordance with paragraph (f) of subsection (1) of section 120 of the Customs Act 1966:”.

6. South Pacific Forum Island Countries (Group VI)—The principal regulations are hereby further amended by inserting, after regulation 72B (as substituted by regulation 8 (1) of the Customs Regulations 1968, Amendment No. 13), the following regulation:

“72c. The following shall be the classes of goods entitled to be entered under the Tariff at the rates and exemptions provided for South Pacific Forum Island Countries, namely:

- (a) The following goods wholly obtained in any of the countries included in Group VI:
 - (i) Mineral products extracted from its soil or from its sea bed;
 - (ii) Vegetable products harvested there;
 - (iii) Live animals born and raised there;

- (iv) Products obtained there from live animals;
 - (v) Products obtained by hunting or fishing conducted there;
 - (vi) Products of sea fishing and other products taken from the sea by its vessels;
 - (vii) Products made on board its factory ships exclusively from the products referred to in subparagraph (vi) of this paragraph;
 - (viii) Used articles collected there fit only for the recovery of raw materials;
 - (ix) Waste and scrap resulting from manufacturing operations conducted there;
 - (x) Products obtained there exclusively from products specified in subparagraphs (i) to (ix) of this paragraph:
- (b) Goods partly manufactured in the countries included in Group VI, subject to the following conditions:
- (i) That the process last performed in the manufacture of the goods was performed in a country included in Group VI; **and**
 - (ii) That in respect of the goods, the expenditure:
 - (A) In material that is the origin of one or more countries included in Group VI or of New Zealand; or
 - (B) In other items of factory or works cost (as defined in regulation 73 hereof) incurred in one or more countries included in Group VI or in New Zealand; or
 - (C) Partly in such material and partly in such other items as aforesaid,—
 is not less than half of the factory or works cost of the goods in their finished state:

Provided that with respect to specific goods and in relation to any or all countries included in Group VI, the Minister may determine that the expenditure referred to in paragraph (b) (ii) shall be less than half of the factory or works cost of the goods in their finished state.”

7. Calculation of factory or works cost—Regulation 73 (1) of the principal regulations (as amended by regulation 8 (1) of the Customs Regulations 1968, Amendment No. 8) is hereby further amended by omitting the expression “and 72B”, and substituting the expression “72B, and 72c”.

8. Goods entering into the commerce of another country—(1) Regulation 74 (1) of the principal regulations (as substituted by regulation 9 of the Customs Regulations 1968, Amendment No. 13) is hereby amended by inserting, after the expression “72B”, the expression “; and 72c”.

(2) Regulation 74 (1) is hereby further amended—

(a) By omitting the words “wholly obtained or”;

(b) By omitting the words “have been wholly obtained”.

(3) Regulation 74 is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) Unless otherwise provided in any agreement or arrangement made by the Government of New Zealand with any other country, this regulation shall not apply to goods the produce or manufacture of a country included—

- (a) In Group V which, after shipment from that country, have entered into the commerce of any other country included in Group V:
- (b) In Group VI which, after shipment from that country, have entered into the commerce of any other country included in Group VI.”

9. Form of certificate to be produced with invoice—(1) Regulation 77 of the principal regulations (as substituted by regulation 12 (1) of the Customs Regulations 1968, Amendment No. 13) is hereby amended by omitting the expression “and V”, and substituting the expression “V, and VI”.

(2) Regulation 77 (e) is hereby amended by omitting the words “wholly obtained or partly manufactured in”, and substituting the words “being the produce or manufacture of”.

(3) Regulation 77 is hereby further amended by inserting, after paragraph (f), the following paragraph:

“(fa) Goods being the produce or manufacture of countries included in Group VI FORM 59B:”.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

Regulations 2, 3, and 4 make minor amendments as to the numbering of prescribed forms; regulation 2 also removes the requirements of declarations being made in respect of aircraft.

Regulations 5, 6, 7, 8, and 9 which come into force on 1 January 1981 provide for rules of origin for goods imported from South Pacific Forum Island Countries who have become signatories to the South Pacific Regional Trade and Economic Co-operation Agreement (SPARTECA).

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 4 December 1980.

These regulations are administered in the Customs Department.