



**THE CUSTOMS REGULATIONS 1968,
AMENDMENT NO. 32**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 30th day of November 1992

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 22 and 306 of the Customs Act 1966, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Customs Regulations 1968, Amendment No. 32, and shall be read together with and deemed part of the Customs Regulations 1968* (hereinafter referred to as the principal regulations).

*S.R. 1968/169 (Reprinted with Amendments Nos. 1 to 9: S.R. 1975/284)

- 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
- Amendment No. 16: S.R. 1980/238
- Amendment No. 17: S.R. 1981/163
- Amendment No. 18: S.R. 1981/238
- Amendment No. 19: S.R. 1981/303
- Amendment No. 20: S.R. 1982/136
- Amendment No. 21: S.R. 1983/143
- Amendment No. 22: S.R. 1983/183
- Amendment No. 23: S.R. 1984/277
- Amendment No. 24: S.R. 1986/282
- Amendment No. 25: (Revoked by S.R. 1988/236)
- Amendment No. 26: S.R. 1986/383
- Amendment No. 27: S.R. 1987/94
- Amendment No. 28: S.R. 1988/21
- Amendment No. 29: S.R. 1988/236
- Amendment No. 30: S.R. 1989/129
- Amendment No. 31: S.R. 1989/244

(2) These regulations shall come into force on the 1st day of January 1993.

2. New regulations inserted—The principal regulations are hereby amended by inserting, after regulation 9, the following heading and regulations:

“Provisions Relating to Entries

“9A. **Entries**—(1) Notwithstanding anything in these regulations, where any provision of these regulations requires an entry of goods to be made in a numbered prescribed form, it shall be sufficient compliance with that requirement if the entry is made by means of a paper entry in the prescribed form or an electronic message in the prescribed form.

“(2) An entry shall not be accepted by the Customs,—

“(a) In the case of the entry of goods imported by sea, if made more than 5 days before the date on which the goods are imported; or

“(b) In the case of the entry of goods imported by air, if made more than 3 days before the date on which the goods are imported.

“(3) If an entry does not comply with the requirements of these regulations, it shall be deemed not to have been accepted by the Customs.

“(4) Regulation 4 of these regulations shall, with any necessary modifications, apply in respect of electronic messages in the prescribed form.

“9B. **When paper entries deemed to be made**—A paper entry in the prescribed form shall be deemed to have been made when it has been received by the Collector or other proper officer.

“9C. **When electronic entries deemed to be made**—(1) Subject to subclause (2) of this regulation, an entry made by means of an electronic message in the prescribed form shall be deemed to have been made when the Customs’ computer system has generated a lodgment number in respect of the receipt of that message.

“(2) If an electronic message is rejected by the Customs’ computer system, the entry shall be deemed not to have been made.

“9D. **Date of entry of electronic message**—An entry made by means of an electronic message in the prescribed form shall be deemed to have been made on the date recorded by the Customs’ computer system as the date of its making.”

3. Customs holidays—(1) The principal regulations are hereby amended by revoking regulation 10, and substituting the following regulation:

“10. In addition to the public holidays referred to in section 12 (1) (a) of the Act, and subject to section 12 (2) of the Act, the following days shall be observed as public holidays by the Customs, namely,—

“(a) The day on which the anniversary of the province is observed in any particular port or place; and

“(b) Waitangi Day; and

“(c) The day after New Year’s Day.”

4. Passing of entries—The principal regulations are hereby amended by inserting, after regulation 17, the following regulation:

“17A. An entry of goods is deemed to have been passed,—

“(a) In the case of an entry of imported goods made in form 13 or form 13A or by means of an electronic message in the prescribed form, when the Customs debits the importer’s deferred payment account with the duty payable or raises a cash account in respect of the duty payable:

“(b) In any other case, when the paper entry or hard copy of the electronic message is signed as passed by the Collector or other proper officer.”

5. Form of declaration of value—(1) The principal regulations are hereby amended by revoking regulation 64 (as substituted by regulation 4 of the Customs Regulations 1968, Amendment No. 20), and substituting the following regulation:

“64. Every declaration of the value of goods imported, that is made pursuant to section 137 of the Act, shall,—

“(a) In the case of effects accompanying a passenger arriving in New Zealand, be in the form specified in the declaration that may be required under regulation 30 of these regulations:

“(b) In any other case, be in the appropriate form prescribed by regulation 24 of these regulations.”

(2) Regulation 4 of the Customs Regulations 1968, Amendment No. 20 is hereby consequentially revoked.

6. Revocation—(1) Regulation 64A of the principal regulations (as inserted by regulation 5 of the Customs Regulations 1968, Amendment No. 20) is hereby revoked.

(2) Regulation 5 of the Customs Regulations 1968, Amendment No. 20 is hereby consequentially revoked.

BOB MacFARLANE,
Acting for Clerk of the Executive Council.

EXPLANATORY NOTE

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

These regulations, which come into force on 1 January 1993, amend the Customs Regulations 1968 as follows:

- (a) An entry of goods can be made by an electronic message in a form prescribed by the Comptroller of Customs:
- (b) The date of entry of goods entered with an electronic message is deemed to be the date of entry as recorded by the Customs' computer system:
- (c) An entry of goods is deemed to have been passed when the importer's account is debited, a cash account is raised by the Customs, or the entry is signed by the Collector or proper officer, as the case may be:
- (d) The day after New Year's day is to be observed as a Customs holiday:
- (e) Declarations of the value of imported goods must be in the form specified pursuant to regulation 24 (imported goods) or regulation 30 (passenger's effects), as the case may require:
- (f) The exemptions from the requirement to declare the value of imported goods are removed.

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These regulations are administered in the Customs Department.