

1975/229



THE CUSTOMS REGULATIONS 1968, AMENDMENT NO. 9

EDWARD DENIS BLUNDELL, Governor-General

By his Deputy, RICHARD WILD

ORDER IN COUNCIL

At the Government House at Wellington this 22nd day of September 1975

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL BY HIS DEPUTY 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.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Customs Regulations 1968, Amendment No. 9, and shall be read together with and deemed part of the Customs Regulations 1968* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of October 1975.

2. Removal of goods on Collector's permit—(1) The principal regulations are hereby amended by revoking regulation 23A (as inserted by regulation 3 (1) of the Customs Regulations 1968, Amendment No. 1), and substituting the following regulation:

“23A. The Collector's permit to remove from any wharf, Customs airport, Customs containerbase, or examining place any goods subject to the control of Customs shall be in form 20A or in form 20B. The permit shall be issued subject to the conditions set forth therein.”

(2) The Customs Regulations 1968, Amendment No. 1, are hereby consequentially revoked.

*S.R. 1968/169

Amendment No. 1: S.R. 1969/196
Amendment No. 2: S.R. 1969/260
Amendment No. 3: S.R. 1970/189
Amendment No. 4: S.R. 1970/241
Amendment No. 5: S.R. 1971/258
Amendment No. 6: S.R. 1972/238
Amendment No. 7: S.R. 1973/66
Amendment No. 8: S.R. 1974/154

3. Outward report of aircraft—Regulation 40 of the principal regulations is hereby amended by revoking paragraph (b) of subclause (1), and substituting the following paragraph:

“(b) Such particulars of the passengers as the Comptroller may require; and”.

4. Developing Country Tariff (Group I, subgroup (d), and Group II)—The principal regulations are hereby amended by revoking regulation 72A (as inserted by regulation 7 of the Customs Regulations 1968, Amendment No. 8), and substituting the following regulation:

“72A. Before any goods of any country of Group I, subgroup (d) (which an importer may elect to enter under the Developing Country Tariff in accordance with paragraph (g) of subsection (1) of section 120 of the Customs Act 1966), or of any country of Group II are entitled to be entered under the Tariff at the rates and exemptions provided for developing countries, the conditions to be fulfilled shall be the following:

“(a) That the goods are wholly the produce of that country; or

“(b) That the goods are wholly manufactured in that country from unmanufactured raw materials; or

“(c) That the goods are partially manufactured in that country, and—

“(i) That the final process of manufacture has been performed in that country; and

“(ii) That in respect of each article, the expenditure—

“(A) In material that is the produce of one or more of the countries included in Group I, subgroup (d), or Group II 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 of the countries included in Group I, subgroup (d), or Group II 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 article in its finished state.”

5. Australia (Group I, subgroup (e))—The principal regulations are hereby amended by revoking regulation 72B (as inserted by regulation 7 of the Customs Regulations 1968, Amendment No. 8), and substituting the following regulation:

“72B. The following shall be the classes of goods entitled to be entered for duty as the produce or manufacture of Australia at rates under the British Preferential Tariff, or at rates other than those set out in the British Preferential Tariff, pursuant to any agreement or arrangement between the Government of New Zealand and the Government of Australia, namely:

“(a) Goods wholly the produce of Australia:

“(b) Goods wholly manufactured in Australia from materials of one or more of the following classes:

“(i) Unmanufactured raw products:

“(ii) Materials wholly manufactured in Australia, or in New Zealand, or in Australia and New Zealand:

“(iii) Imported materials that the Minister has determined for the purpose of this regulation:

“(c) Goods partly manufactured in Australia, subject to the following conditions:

“(i) That the process last performed in the manufacture of the goods was performed in Australia; and

“(ii) That in respect of the goods, the expenditure—

“(A) In material that is of Australian origin or of New Zealand origin or of Australian and New Zealand origin; or

“(B) In labour and factory overheads incurred in Australia or in New Zealand or in Australia and New Zealand; or

“(C) In inner containers that are of Australian origin or of New Zealand origin or of New Zealand and Australian origin; or

“(D) Partly in such material and partly in such other items of factory cost (including inner containers) as aforesaid,—

is not less than half of the factory or works cost of the goods in their finished state:

“Provided that—

“(i) With respect to any such goods imported into Niue, the reference in paragraph (c) (ii) to not less than half of the factory or works cost shall be read as a reference to not less than one-quarter of the factory or works cost; and

“(ii) With respect to specific goods, the Minister may determine that the expenditure referred to in paragraph (c) (ii) shall be greater than or less than half of the factory or works cost of the goods in their finished state.”

6. Goods entering into the commerce of another country—(1) Regulation 74 of the principal regulations is hereby amended by revoking subclause (2) (as substituted by regulation 9 (2) of the Customs Regulations 1968, Amendment No. 8), and substituting the following paragraph:

“(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—

“(a) Goods, being the produce or manufacture of a country included in Group I, which after shipment from that country have entered into the commerce of any other country included in Group I; or

“(b) Goods, being the produce or manufacture of a country included in Group I, subgroup (d), or in Group II, which after shipment from that country have entered into the commerce of any other country included in Group I, subgroup (d), or in Group II.”

(2) The Customs Regulations 1968, Amendment No. 8, are hereby amended by revoking regulation 9 (2).

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.

These regulations amend the Customs Regulations 1968 and come into force on 1 October 1975.

Regulation 2 prescribes a new form of Collector's permit to remove goods from a wharf, Customs airport, Customs containerbase, or examining place.

Regulation 3 amends the provisions as to outward reports of aircraft by authorising the Comptroller to obtain such particulars of passengers as he might require.

Regulation 4 provides for cumulative origin to apply in respect of goods partially manufactured in developing countries.

Regulation 5 amends the existing provisions as to rules of origin for Australian goods, consequent upon the recent agreement reached with Australia on new rules of origin to be applied from 1 October 1975 to goods traded under preference between the two countries.

Regulation 6 provides for goods of a developing country to enter into the commerce of another developing country without losing Tariff preference.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 25 September 1975.

These regulations are administered in the Customs Department.