

Serial Number **1953/142****THE CUSTOMS TARIFF AMENDMENT ORDER (NO. 2) 1953**

C. W. M. NORRIE, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington, this 4th day of November 1953

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 12 of the Customs Acts Amendment Act 1921, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and being satisfied that the existing duties are likely to operate in an injurious manner generally to the public interest, hereby makes the following order.

**ORDER**

**1.** (1) This order may be cited as the Customs Tariff Amendment Order (No. 2) 1953.

(2) This order shall come into force on the 6th day of November 1953.

**2.** The existing Tariff (being the First Schedule to the Customs Acts Amendment Act 1934, subject to the General Agreement on Tariffs and Trade Act 1948, as modified by the General Agreement on Tariffs and Trade Order 1951\*) is hereby suspended in so far as it relates to the goods set out in the First Schedule hereto, and the duties set out in the Second Schedule hereto are hereby imposed in lieu thereof.

**3.** The duties set out in the First Schedule to the General Agreement on Tariffs and Trade Act 1948, as modified by the General Agreement on Tariffs and Trade Order 1951,\* are hereby suspended in so far as they relate to the goods set out in the Third Schedule hereto, and the duties set out in the Fourth Schedule hereto are hereby imposed in lieu thereof.

**4.** The duty set out in the Second Schedule to the General Agreement on Tariffs and Trade Act 1948, as modified by the General Agreement on Tariffs and Trade Order 1951,\* is hereby suspended in so far as it relates to the goods set out in the Fifth Schedule hereto, and the duty set out in the Sixth Schedule hereto is hereby imposed in lieu thereof.

**5.** Every application of duties hereby effected shall be subject to the provisions of section 143 of the Customs Act 1913.

**6.** All duties of Customs that have become due and payable and all penalties and forfeitures that have been incurred before the commencement of this order shall be recoverable and enforced as if this order had not been made.

\* Statutory Regulations 1951, Serial number 1951/244, page 895.

7. Nothing in this order shall be deemed to affect the provisions of section 5 of the Customs Acts Amendment Act 1930 in respect of the imposition on any goods affected by this order of surtax upon the duties hereby imposed.

## SCHEDULES

### FIRST SCHEDULE

#### PORTION OF TARIFF SUSPENDED

Item No.	Tariff Item	British Preferential Tariff <i>Column No. 1</i>	General Tariff <i>Column No. 2</i>
38	Fruit-pulp, partially preserved fruit, fruit preserved by sulphurous acid, crushed fruit, minced fruit, fruit pastes, unsweetened and n.e.i. . . . .	1½d. per lb.	1½d. per lb.
39	Fruits preserved in juice or syrup, viz.: Pineapples . . . . . Other kinds . . . . .	10 per cent ad valorem 25 per cent ad valorem	50 per cent ad valorem. 50 per cent ad valorem.
	(Fruits preserved in juice or syrup, fortified with alcohol to any extent exceeding 40 per cent of proof spirit, shall be charged 40s. per liquid gallon on such juice or syrup, in addition to the appropriate duty on the total value of the goods.)		

### SECOND SCHEDULE

#### RATES OF DUTY IMPOSED

Item No.	Tariff Item	British Preferential Tariff <i>Column No. 1</i>	General Tariff <i>Column No. 2</i>
38	Fruit-pulp, partially preserved fruit, fruit preserved by sulphurous acid, crushed fruit, minced fruit, fruit pastes, sweetened or unsweetened, and n.e.i. . . . .	1½d. per lb.	1½d. per lb.
39	Fruits preserved in juice or syrup, viz.: (1) Pineapples . . . . . (2) Prunes . . . . . (3) Bananas; cashews; goiavas; oranges (4) Apricots; peaches; pears . . . . . (5) Other kinds . . . . .	10 per cent ad valorem 25 per cent ad valorem 25 per cent ad valorem 30 per cent ad valorem 25 per cent ad valorem	50 per cent ad valorem. 50 per cent ad valorem. 50 per cent ad valorem. 50 per cent ad valorem. 50 per cent ad valorem.
	(Fruits preserved in juice or syrup, fortified with alcohol to any extent exceeding 40 per cent of proof spirit, shall be charged 40s. per liquid gallon on such juice or syrup, in addition to the appropriate duty on the total value of the goods.)		

THIRD SCHEDULE

DUTIES UNDER FIRST SCHEDULE TO GENERAL AGREEMENT ON TARIFFS AND TRADE ACT  
1948 SUSPENDED

New Zealand Tariff Item Number	Description of Products	Rate of Duty
<b>PART I—MOST-FAVOURLED-NATION TARIFF</b>		
39 ..	Fruits preserved in juice or syrup, viz.:	
	Pineapples .. .. .	35%
	Prunes .. .. .	25%
	NOTE.—Prunes preserved in juice or syrup provided for under Tariff item 39 shall be exempt from most-favoured-nation Customs duties which exceed the duties on such product under the British Preferential Tariff.	
	Bananas; cashews; goiavas; oranges .. ..	45%
	Other kinds .. .. .	47½%
<b>PART II—PREFERENTIAL TARIFF</b>		
Ex 39 ..	Fruits preserved in juice or syrup, viz.:	
	Pineapples .. .. .	10%
	NOTE.—Pineapples preserved in juice or syrup the produce of Australia, shall be exempt from Customs duties in excess of 10% ad valorem.	

FOURTH SCHEDULE

DUTIES IMPOSED IN LIEU OF THOSE SET OUT IN THE THIRD SCHEDULE HERETO

New Zealand Tariff Item Number	Description of Products	Rate of Duty
<b>PART I—MOST-FAVOURLED-NATION TARIFF</b>		
39 ..	Fruits preserved in juice or syrup, viz.:	
	(1) Pineapples .. .. .	35%
	(2) Prunes .. .. .	25%
	NOTE.—Prunes preserved in juice or syrup provided for under Tariff item 39 shall be exempt from most-favoured-nation Customs duties which exceed the duties on such product under the British Preferential Tariff.	
	(3) Bananas; cashews; goiavas; oranges .. ..	45%
	(4) Apricots; peaches; pears .. .. .	47½%
	(5) Other kinds .. .. .	47½%
<b>PART II—PREFERENTIAL TARIFF</b>		
39 ..	Fruits preserved in juice or syrup, viz.:	
	(1) Pineapples .. .. .	10%
	NOTE.—Pineapples preserved in juice or syrup the produce of Australia, shall be exempt from Customs duties in excess of 10% ad valorem.	

FIFTH SCHEDULE

DUTY UNDER SECOND SCHEDULE TO GENERAL AGREEMENT ON TARIFFS AND TRADE ACT  
1948 SUSPENDED

New Zealand Tariff Item Number	Description of Products	Rate of Duty
Ex 39 ..	Fruits preserved in juice or syrup, viz.: Pineapples .. .. .	30%

SIXTH SCHEDULE

DUTY IMPOSED IN LIEU OF THAT SET OUT IN THE FIFTH SCHEDULE HERETO

New Zealand Tariff Item Number	Description of Products	Rate of Duty
39 ..	Fruits preserved in juice or syrup, viz.: (1) Pineapples .. .. .	30%

T. J. SHERRARD,  
Clerk of the Executive Council.

EXPLANATORY NOTE

*[This note is not part of the order, but is intended to indicate its general effect.]*

This order extends Tariff item 38 to cover sweetened as well as unsweetened fruit products included therein. It also increases from 25 per cent to 30 per cent the duty under the British Preferential Tariff on canned apricots, peaches, and pears and provides for the numbering in conformity with the Tariff of the sub-items of Tariff item 39 in the Schedules to the General Agreement on Tariffs and Trade Act 1948.

Issued under the authority of the Regulations Act 1936.  
Date of notification in *Gazette*: 5 November 1953.  
These regulations are administered in the Customs Department.