

1957/198

**THE CUSTOMS TARIFF (PAINTS AND RELATED PRODUCTS)
ORDER 1957**

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 25th day of September 1957

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 12 of the Customs 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.

O R D E R

1. (1) This order may be cited as the Customs Tariff (Paints and Related Products) Order 1957.

(2) This order shall come into force on the 27th day of September 1957.

2. The existing Tariff (being the First Schedule to the Customs Acts Amendment Act 1934 as modified by the Customs Tariff Amendment Order 1938 No. 2* and by the Customs Tariff Amendment Order 1948†) is hereby suspended in so far as it relates to the goods set out in the First Schedule hereto.

3. The duties set out in the Second Schedule hereto are hereby imposed and the exemptions from duty set out in that Schedule are hereby created.

4. Schedule XIII to the General Agreement on Tariffs and Trade (as set out in the First Schedule to the General Agreement on Tariffs and Trade Act 1948 and modified by the General Agreement on Tariffs and Trade Order 1950‡) is hereby modified by the deletion therefrom of the duties set out in the Third Schedule hereto and by the substitution therefor of the duties set out in the Fourth Schedule hereto.

*S.R. 1938/28

†S.R. 1948/173

‡S.R. 1950/90

5. The Second Schedule to the General Agreement on Tariffs and Trade Act 1948 is hereby modified by the deletion therefrom of the duties set out in the Fifth Schedule hereto and by the substitution therefor of the duties set out in the Sixth Schedule hereto.

6. Every exemption from duty or application of duty hereby effected shall be subject to the provisions of section 143 of the Customs Act 1913.

7. 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 recovered and enforced as if this order had not been made.

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>
105	Drugs and chemicals, viz.: Acetone; amyl alcohol; butyl alcohol; bromine; calcium carbide; carbon bisulphide; carbon tetrachloride and other chlorides of carbon; chlorinated hydrocarbons n.e.i.; catechu; chlorinated lime; cochineal; formic aldehyde, and solutions thereof; fusel oil; gall nuts; hydrogen peroxide; iodine; liquorice in blocks of 7 lb. net and over, or soft liquorice extract in bulk in vessels capable of containing 7 lb. net or over; phosphorus; pyridine; quinine, and salts of quinine; saffron; strychnine, and salts of strychnine; sulphur; turmeric, unground; wood naphtha, <i>commercial</i> ; nicotine and its salts	Free ..	Free.
124	Metallic elements n.e.i.; oxides, hydroxides, <i>inorganic salts</i> n.e.i.; acetates, and oxalates, of aluminium, ammonia, antimony, arsenic, barium, bismuth, boron, cadmium, calcium, cerium, chromium, cobalt, copper, gold, iron, lead, lithium, magnesium, manganese, mercury, nickel, platinum, potassium, radium, silicon, silver, sodium, strontium, tin, zinc, and of the other metallic elements; metallic soaps n.e.i.	Free ..	Free.
394	Oils in vessels capable of containing 1 gallon or more, viz.: (3) Vegetable oils n.e.i. (11) Mineral oils mixed with vegetable oils; also mineral or vegetable oils mixed with fish oils or with oils of animal origin, n.e.i.	Free .. 6d. per gallon	Free. 1s. per gallon.
395	Oils in vessels having a capacity of less than 1 gallon, viz.: (3) Vegetable oils n.e.i.	20 per cent ad valorem	20 per cent ad valorem.

FIRST SCHEDULE—*continued*
 PORTION OF TARIFF SUSPENDED—*continued*

Item No.	Tariff Item	British Preferential Tariff Column No. 1	General Tariff Column No. 2
397	<p>Paints, colours, varnishes, and similar materials, viz.:</p> <p>(1) White-lead ground in oil</p> <p>(2) Paints, and colours, ground in liquid, n.e.i.; paints mixed ready for use; enamel paints; ships' antifouling composition; <i>paint-thinners, n.e.i.; driers, n.e.i.</i></p> <p>(3) Varnishes, lacquers; Brunswick black; japans; lithographic varnishes; printers' ink reducer; <i>terebine</i>; gold size; liquid stains for wood; metallic paints, and liquid medium for mixing with the same; petrifying liquids n.e.i. suited for waterproofing concrete, plaster, and similar surfaces, or for use as paint; <i>fused gums</i> for the manufacture of varnishes</p> <p>(4) Preparations for removing paint and varnish</p> <p>(5) Putty and woodfillers</p> <p>(6) Kalsomine, distempers, and similar preparations, in powder form</p> <p>(7) Paints and colours, dry, n.e.i.; barytes; whiting, and chalk</p>	<p>6s. per cwt. . .</p> <p>15 per cent ad valorem</p> <p>15 per cent ad valorem</p> <p>15 per cent ad valorem</p> <p>Free . .</p> <p>Free . .</p> <p>Free . .</p>	<p>9s. per cwt. 45 per cent ad valorem.</p> <p>45 per cent ad valorem.</p> <p>£1 10s. per ton.</p> <p>35 per cent ad valorem.</p> <p>Free.</p>

SECOND SCHEDULE

EXEMPTIONS CREATED AND RATES OF DUTY IMPOSED

Item No.	Tariff Item	British Preferential Tariff Column No. 1	General Tariff Column No. 2
105	<p>Drugs and chemicals, viz.:</p> <p>(1) Acetone; amyl alcohol; butyl alcohol; bromine; carbon bisulphide; carbon tetrachloride and other chlorides of carbon; chlorinated hydrocarbons n.e.i.; catechu; cochineal; formic aldehyde, and solutions thereof; fusel oil; gall nuts; iodine; liquorice in blocks of 7 lb. net and over, or soft liquorice extract in bulk in vessels capable of containing 7 lb. net or over; phosphorus; pyridine; quinine, and salts of quinine; saffron; turmeric, unground; wood naphtha, <i>commercial</i>; nicotine and its salts</p>	<p>Free . .</p>	<p>Free.</p>

SECOND SCHEDULE—*continued*

EXEMPTIONS CREATED AND RATES OF DUTY IMPOSED—*continued*

Item No.	Tariff Item	British Preferential Tariff <i>Column No. 1</i>	General Tariff <i>Column No. 2</i>
105	(2) Calcium carbide	Free . .	Free.
	(3) Chlorinated lime; hydrogen peroxide; sulphur (other than crude and in bulk)	Free . .	Free.
124	(4) Sulphur, when crude and in bulk . .	Free . .	Free.
	(5) Strychnine, and salts of strychnine . .	Free . .	Free.
	Metallic elements n.e.i.; oxides, hydroxides, inorganic salts n.e.i., acetates, and oxalates, of aluminium, ammonia, antimony, arsenic, barium, bismuth, boron, cadmium, calcium, cerium, chromium, cobalt, copper, gold, iron, lead, lithium, magnesium, manganese, mercury, nickel, platinum, potassium, radium, silicon, silver, sodium, strontium, tin, zinc, and of the other metallic elements, viz:		
	(1) Gypsum, crude	Free . .	Free.
	(2) (a) Oxides of antimony	Free . .	Free.
	(b) Oxides of zinc, viz:		
	(i) Of such <i>qualities</i> as may be approved by the Minister and on such conditions as he may prescribe	Free . .	Free.
	(ii) Other	15 per cent ad valorem	15 per cent ad valorem.
	(3) Other kinds	Free . .	Free.
	394	Oils in vessels capable of containing 1 gallon or more, viz:	
(3) Vegetable oils n.e.i., viz:			
(a) Sunflower seed oil; peanut oil		Free . .	Free.
(b) Coconut oil		Free . .	Free.
(c) Other kinds		Free . .	Free.
(11) (a) Mineral oils mixed with vegetable oils; also mineral or vegetable oils mixed with fish oils or with oils of animal origin, n.e.i.		6d. per gallon	1s. per gallon.
(b) Compounded rust-resisting oil for the treatment of metal		6d. per gallon	1s. per gallon.
395	Oils in vessels having a capacity of less than 1 gallon, viz:		
	(3) Vegetable oils n.e.i., viz:		
	(a) Olive, palm, and peanut	20 per cent ad valorem	20 per cent ad valorem.
	(b) Other	20 per cent ad valorem	20 per cent ad valorem.

SECOND SCHEDULE—*continued*

EXEMPTIONS CREATED AND RATES OF DUTY IMPOSED—*continued*

Item No.	Tariff Item	British Preferential Tariff <i>Column No. 1</i>	General Tariff <i>Column No. 2</i>
397	Paints, colours, varnishes, and related products, viz.:		
	(1) Paints and colours, dry, viz.:		
	(a) Red lead	Free ..	Free.
	(b) White lead	10% ..	10%
	(c) Lithopone	Free ..	Free.
	(d) Dry colours n.e.i.	Free ..	Free.
	(e) Kalsomine, distempers, and similar preparations	25 per cent ad valorem	65 per cent ad valorem.
	(f) <i>Cement-based paints</i>	25 per cent ad valorem	25 per cent ad valorem.
	(g) Dry paints n.e.i.	Free ..	Free.
(2)	(a) Barytes	Free ..	Free.
	(b) Whiting and chalk	Free ..	Free.
(3)	(a) Gums and resins, <i>fused</i>	Free ..	20 per cent ad valorem.
	(b) Natural gums and resins, esterified	Free ..	Free.
(4)	Metallic soaps n.c.i. in <i>fused</i> , solid, powder, or <i>paste</i> form	10 per cent ad valorem	10 per cent ad valorem.
(5)	<i>Driers n.e.i.</i>	25 per cent ad valorem	55 per cent ad valorem.
(6)	<i>Paint thinners n.e.i.</i>	25 per cent ad valorem	55 per cent ad valorem.
(7)	White lead ground in oil	10 per cent ad valorem	20 per cent ad valorem.
(8)	Colours ground in liquid, n.e.i.	25 per cent ad valorem	55 per cent ad valorem.
(9)	Varnishes (excluding collodion-base varnish for correcting stencils); lacquers; Brunswick black; japans; lithographic varnishes; printers' ink reducer; <i>terebine</i> ; gold size; liquid stains for wood; metallic paints and liquid medium for mixing with the same; petrifying liquids n.e.i. suited for waterproofing concrete, plaster, and similar surfaces, or for use as paint	25 per cent ad valorem	55 per cent ad valorem.
(10)	Collodion-base varnish for correcting stencils	Free ..	35 per cent ad valorem.
(11)	Paints mixed ready for use; enamel paints; ships' antifouling composition	25 per cent ad valorem	55 per cent ad valorem.
(12)	<i>Paints n.e.i.</i>	25 per cent ad valorem	55 per cent ad valorem.
(13)	Preparations for removing paint and varnish	25 per cent ad valorem	55 per cent ad valorem.
(14)	Putty and woodfillers	25 per cent ad valorem	45 per cent ad valorem.

THIRD SCHEDULE

DELETIONS FROM SCHEDULE XIII TO THE GENERAL AGREEMENT ON
TARIFFS AND TRADE

New Zealand Tariff Item No.	Description of Products	Rates of Duty
	<i>Part I—Most Favoured Nation Tariff</i>	
Ex 105	Drugs and chemicals, viz.: Acetone; amyl alcohol; butyl alcohol; bromine; calcium carbide; carbon bisulphide; carbon tetrachloride and other chlorides of carbon; chlorinated hydrocarbons n.e.i.; catechu; cochineal; formic aldehyde, and solutions thereof; fusel oil; gall nuts; iodine; liquorice in blocks of 7 lb. net and over, or soft liquorice extract in bulk in vessels capable of containing 7 lb. net or over; phosphorus; pyridine; quinine, and salts of quinine; saffron; strychnine, and salts of strychnine; turmeric, unground; wood naphtha, <i>commercial</i> ; nicotine and its salts	Free (3).
118	Gums and resins—viz., arabic, benzoin, dammar, tragacanth, and Indian gum; shellac	Free (3).
Ex 124	Oxides of antimony and of zinc	Free (3).
391	Graphite, and plumbago, in powder or flake form ..	Free (3).
394	Oils in vessels capable of containing 1 gallon or more, viz.: (3) Vegetable oils n.e.i.	Free (3).
	Ex (3) Sunflower-seed oil; peanut oil	Free (3).
395	<i>Oils</i> in vessels having a capacity of less than 1 gallon, viz.: Ex (3) Vegetable oils n.e.i., viz.: olive, palm, peanut ..	20%
397	Paints, colours, varnishes, and similar materials, viz.: Ex (2) Paints mixed ready for use. Note—The products provided for under Tariff item 397 Ex (2) shall be exempt from most favoured nation customs duties which exceed the duties on such products under the British Preferential Tariff by more than 20 per cent <i>ad valorem</i> . Ex (3) Collodion-base varnish for correcting stencils ..	40%
	Ex (7) Paints and colours, dry, n.e.i., viz.: Zinc white, red lead	Free (3).
	<i>Part II—Preferential Tariff</i>	
Ex 105	Drugs and chemicals, viz.: Strychnine, and salts of strychnine	Free (3).

FOURTH SCHEDULE

ADDITIONS TO SCHEDULE XIII TO THE GENERAL AGREEMENT ON TARIFFS
AND TRADE

New Zealand Tariff Item No.	Description of Products	Rates of Duty
<i>Part I—Most Favoured Nation Tariff</i>		
105	Drugs and chemicals, viz.: (1) Acetone; amyl alcohol; butyl alcohol; bromine; carbon bisulphide; carbon tetrachloride and other chlorides of carbon; chlorinated hydrocarbons n.e.i.; catechu; cochineal; formic aldehyde, and solutions thereof; fusel oil; gall nuts; iodine; liquorice in blocks of 7 lb. net and over, or soft liquorice extract in bulk in vessels capable of containing 7 lb. net or over; phosphorus; pyridine; quinine, and salts of quinine; saffron; turmeric, unground; wood naphtha, <i>commercial</i> ; nicotine and its salts	Free (3).
	(2) Calcium carbide	Free (3).
	(5) Strychnine, and salts of strychnine	Free (3).
118	Gums and resins—viz., arabic, benzoin, dammar, tragacanth, and Indian gum; shellac	Free (3).
124	(2) (a) Oxides of antimony	Free.
391	Graphite, and plumbago, in powder or flake form ..	Free (3).
394	Oils in vessels capable of containing 1 gallon or more, viz.: (3) Vegetable oils n.e.i., viz.: (a) Sunflower seed oil; peanut oil (b) Coconut oil (c) Other kinds	Free (3). Free (3). Free (3).
395	Oils in vessels having a capacity of less than 1 gallon, viz.: (3) Vegetable oils n.e.i., viz.: (a) Olive, palm, and peanut	20%
397	Paints, colours, varnishes, and related products, viz.: (1) Paints and colours, dry, viz.: (a) Red lead (c) Lithopone (10) Collodion-base varnish for correcting stencils .. Ex (11) Paints mixed ready for use	Free (3). Free. 40% ..
Note—The products provided for under Tariff item 397 Ex (11) above shall be exempt from most favoured nation cus- toms duties which exceed the duties on such products under the British Preferential Tariff by more than 20 per cent <i>ad valorem</i> .		
<i>Part II—Preferential Tariff</i>		
105	Drugs and chemicals, viz.: (5) Strychnine, and salts of strychnine	Free (3).

Note—Notwithstanding the provisions of this Schedule the most favoured nation rate of duty on goods classed under Tariff item 397 (10) shall be as set out in the Sixth Schedule to this order, and goods classed under Tariff items 118, 391, 394 (3) (a) and (c), and 397 (1) (a) shall be exempt from primage in terms of the Customs Primage (Paints and Related Products) Exemption Order 1957 (S.R. 1957/202).

FIFTH SCHEDULE

DELETIONS FROM THE SECOND SCHEDULE TO THE GENERAL AGREEMENT
ON TARIFFS AND TRADE ACT 1948

New Zealand Tariff Item No.	Description of Products	Rate of Duty
397 Ex (2)	Paints, colours, varnishes, and similar materials, viz.: Paints and colours, ground in liquid, n.e.i.; paints mixed ready for use; enamel paints; ships' antifouling composition	35%

SIXTH SCHEDULE

ADDITIONS TO SECOND SCHEDULE TO THE GENERAL AGREEMENT ON
TARIFFS AND TRADE ACT 1948

New Zealand Tariff Item No.	Description of Products	Rates of Duty
124	(2) (b) Oxides of zinc, viz.: (i) Of such <i>qualities</i> as may be approved by the Minister and on such conditions as he may prescribe	Free.
	(ii) Other	15%
397	Paints, colours, varnishes, and related products, viz.: (8) Colours ground in liquid, n.e.i. (10) Collodion-base varnish for correcting stencils (11) Paints mixed ready for use; enamel paints; ships' antifouling composition (12) <i>Paints n.e.i.</i>	45% 25% 45% 45%

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 provides for Customs Tariff changes, in respect of paints and related products, made on the recommendation of the Board of Trade following a public Tariff inquiry. Some of the items concerned have been rearranged and some rates of duty have been increased on zinc oxide (certain qualities only), dry white lead, kalsomine, cement-based paints, metallic soaps n.e.i., driers and thinners n.e.i., paints mixed ready for use, varnishes, preparations for removing paint and varnish, and putty and woodfillers. Rates of duty have been reduced on fused gums and resins, and on collodion-base varnish for correcting stencils. The specific rates of duty on white lead ground in oil have been replaced by *ad valorem* rates, as also has the specific rate under the General Tariff on putty and woodfillers.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 26 September 1957.

These regulations are administered in the Customs Department.