

1960/19

**THE CUSTOMS TARIFF (PASSENGERS' BAGGAGE AND
EFFECTS) ORDER 1960**

COBHAM, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington this 8th day of March 1960

Present:

THE RIGHT HON. W. NASH, C.H., PRESIDING IN COUNCIL

PURSUANT to section 12 of the Customs Amendment Act 1921, section 5 of the Customs Acts Amendment Act 1930, and section 4 of the Customs Acts Amendment Act 1931, 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 (Passengers' Baggage and Effects) Order 1960.

(2) This order shall come into force on the 1st day of April 1961.

2. The existing Tariff (being the First Schedule to the Customs Acts Amendment Act 1934, as amended by the Customs Acts Amendment Act 1951 and section 17 of the Finance Act 1954) is hereby suspended so far as it relates to the goods set out in the First Schedule hereto.

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

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

5. The class of goods set out in the Third Schedule hereto is hereby exempted from the surtax imposed by section 5 of the Customs Acts Amendment Act 1930.

6. The class of goods set out in the Fourth Schedule hereto is hereby exempted from the primage duty imposed by section 4 of the Customs Acts Amendment Act 1931.

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	General Tariff
438	<p>(1) Passengers' baggage and effects which are not intended for any other <i>person</i> or <i>persons</i> or for gift, sale, exchange, or trade viz:</p> <p>(a) Wearing apparel and <i>other personal effects</i> which are the property of the <i>person</i> bringing them to New Zealand and which have been worn or are in use by him:</p> <p>(b) Household or <i>other effects</i>, subject to such conditions as the Minister may prescribe, which are imported by a <i>person</i> who satisfies the Collector that he intends to reside permanently in New Zealand and which have been owned and used by that <i>person</i> for a period of not less than one year immediately preceding the <i>person's</i> departure for New Zealand:</p> <p>Provided that a right-hand drive motor vehicle not in excess of one such motor vehicle for any one <i>family</i> may, subject to all the other conditions and requirements of this Tariff item, be admitted under this Tariff item notwithstanding that it has been in use for less than one year immediately preceding the departure of the <i>person</i> bringing it to New Zealand if it is established to the satisfaction of the Collector that—</p> <p>(i) The vehicle was the personal property of the <i>person</i> prior to his departure for New Zealand; and</p> <p>(ii) The <i>person</i> owned and had in use for not less than one year immediately preceding his acquisition of the vehicle a left-hand drive vehicle which was of the same <i>class</i> as the vehicle imported by him and which was disposed of by him before his departure for New Zealand:</p> <p>Provided also that, if the household or other effects are not imported within five years from the date of the arrival in New Zealand of the <i>person</i> by whom they have been owned and used, they shall be admitted under this item only with the consent of the Minister.</p> <p>(2) Notwithstanding anything in paragraph (1) of this item, where a <i>person</i> imports as part of his baggage and effects dutiable goods (other than cigars, cigarettes, tobacco, wines, and spirits) the total value of which does not exceed £50 and which are not imported on behalf of any other <i>person</i> or <i>persons</i> or for sale, exchange, or trade, those goods shall be subject to duty as follows, viz:</p>	<p>Free ..</p> <p>Free ..</p>	<p>Free.</p> <p>Free.</p>

FIRST SCHEDULE—*continued*

PORTION OF TARIFF SUSPENDED—*continued*

Item No.	Tariff Item	British Preferential Tariff	General Tariff
438	(a) Not exceeding £10 in value (b) Exceeding £10 but not exceeding £50 in value [NOTES—(1) Where the value of the dutiable goods imported exceeds £50 paragraph (2) of this item does not apply and duty shall be payable on all goods in accordance with the Tariff. (2) In no case shall duty be charged under this item in excess of that otherwise chargeable under the Tariff.]	Free . . 25 per cent ad valorem	Free. 25 per cent ad valorem.

SECOND SCHEDULE

EXEMPTIONS CREATED AND RATES OF DUTY IMPOSED

Item No.	Tariff Item	British Preferential Tariff	General Tariff
438	(1) Passengers' baggage and effects which are not intended for any other <i>person</i> or <i>persons</i> or for gift, sale, exchange, or trade viz: (a) Wearing apparel and <i>other personal effects</i> which are the property of the <i>person</i> bringing them to New Zealand and which have been worn or are in use by him: (b) Household or <i>other effects</i> , subject to such conditions as the Minister may prescribe, which are imported by a <i>person</i> who satisfies the Collector that he intends to reside permanently in New Zealand and which have been owned and used by that <i>person</i> for a period of not less than one year immediately preceding the <i>person's</i> departure for New Zealand: Provided that, if the household or other effects are not imported within five years from the date of the arrival in New Zealand of the <i>person</i> by whom they have been owned and used, they shall be admitted under this item only with the consent of the Minister. (2) Notwithstanding anything in paragraph (1) of this item, where a <i>person</i> imports as part of his baggage and effects dutiable goods (other than cigars, cigarettes, tobacco, wines, and spirits) the total value of which does not exceed £50 and which are not imported on behalf of any other <i>person</i> or <i>persons</i> or for sale, exchange, or trade, those goods shall be subject to duty as follows, viz: (a) Not exceeding £10 in value (b) Exceeding £10 but not exceeding £50 in value	Free . . Free . .	Free. Free. Free. 25 per cent ad valorem.

SECOND SCHEDULE—*continued*

EXEMPTIONS CREATED AND RATES OF DUTY IMPOSED—*continued*

Item No.	Tariff Item	British Preferential Tariff	General Tariff
438	<p>[NOTES—(1) Where the value of the dutiable goods imported exceeds £50 paragraph (2) of this item does not apply and duty shall be payable on all goods in accordance with the Tariff. (2) In no case shall duty be charged under this item in excess of that otherwise chargeable under the Tariff.]</p>		

THIRD SCHEDULE

GOODS EXEMPTED FROM SURTAX

Tariff Item No.	Class of Goods
438	<p>(2) Notwithstanding anything in paragraph (1) of this item, where a <i>person</i> imports as part of his baggage and effects dutiable goods (other than cigars, cigarettes, tobacco, wines, and spirits) the total value of which does not exceed £50 and which are not imported on behalf of any other <i>person</i> or <i>persons</i> or for sale, exchange, or trade, those goods shall be subject to duty as follows, viz:</p> <p>(b) Exceeding £10 but not exceeding £50 in value.</p>

FOURTH SCHEDULE

GOODS EXEMPTED FROM PRIMAGE DUTY

Tariff Item No.	Class of Goods
438	<p>(1) Passengers' baggage and effects which are not intended for any other <i>person</i> or <i>persons</i> or for gift, sale, exchange, or trade viz:</p> <p>(a) Wearing apparel and <i>other personal effects</i> which are the property of the <i>person</i> bringing them to New Zealand and which have been worn or are in use by him:</p> <p>(b) Household or <i>other effects</i>, subject to such conditions as the Minister may prescribe, which are imported by a <i>person</i> who satisfies the Collector that he intends to reside permanently in New Zealand and which have been owned and used by that <i>person</i> for a period of not less than one year immediately preceding the <i>person's</i> departure for New Zealand:</p> <p>Provided that, if the household or other effects are not imported within five years from the date of the arrival in New Zealand of the <i>person</i> by whom they have been owned and used, they shall be admitted under this item only with the consent of the Minister.</p>

FOURTH SCHEDULE—*continued*

GOODS EXEMPTED FROM PRIMAGE DUTY—*continued*

Tariff Item No.	Class of Goods
438	<p>(2) Notwithstanding anything in paragraph (1) of this item, where a <i>person</i> imports as part of his baggage and effects dutiable goods (other than cigars, cigarettes, tobacco, wines, and spirits) the total value of which does not exceed £50 and which are not imported on behalf of any other <i>person</i> or <i>persons</i> or for sale, exchange, or trade, those goods shall be subject to duty as follows, viz:</p> <p style="padding-left: 2em;">(a) Not exceeding £10 in value.</p>

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 cancels the concession whereby a right-hand drive motor vehicle which otherwise did not qualify for free admission under Tariff item 438 as part of a person's effects was so admitted in place of a left-hand drive motor vehicle which, if imported, would have qualified for free admission.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 10 March 1960.

These regulations are administered in the Customs Department.