

Serial Number **1953/179**



THE EXPORT PROHIBITION REGULATIONS 1953

C. W. M. NORRIE, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 15th day of
December 1953

Present:

THE RIGHT HON. S. G. HOLLAND PRESIDING IN COUNCIL

PURSUANT to section 47 of the Customs Act 1913, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Export Prohibition Regulations 1953.

(2) These regulations shall come into force on the 1st day of January 1954.

2. No person shall export any goods without the permission in writing of the Minister of Customs.

3. The Minister may grant permission for the export of any goods or goods of any class either generally or to any country or countries or to any person or persons, and any such permission may be subject to such conditions as he may in his discretion impose.

4. (1) Any person desiring to export goods shall, at least ten days before the date of intended shipment, apply in writing to the Collector of Customs at the port at which the goods are proposed to be placed on board the exporting vessel for permission to export the goods. The applicant shall furnish the following particulars:

(a) Description, quantity, and value of goods:

(b) Port of intended shipment:

(c) Name of intended exporting vessel:

(d) Approximate intended date of shipment:

(e) Ultimate destination of goods:

(f) Name and address of consignee:

(g) Any other particulars that may be required by the Collector.

(2) The Minister may, in his discretion, dispense with all or any of the requirements of this regulation.

5. Except with the permission of the Collector, entry for export of any goods for the export of which permission is granted shall be made at the Customhouse at the port of loading before shipment of the goods on the exporting vessel.

6. (1) The Minister may from time to time, by writing under his hand, either generally or particularly, delegate to the Board of Trade established under the Board of Trade Act 1950 all or any of his powers and functions under these regulations, but not including this present power of delegation, and not including any powers or functions relating to agricultural or pastoral products.

(2) Subject to any general or special directions given or conditions attached by the Minister, the Board of Trade may exercise any powers or functions delegated to it under this regulation in the same manner and with the same effect as if they had been conferred on the Board directly by this regulation and not by delegation.

(3) Where the Board purports to act pursuant to any delegation under this regulation it shall be presumed to be acting in accordance with the terms of the delegation in the absence of proof to the contrary.

(4) Every delegation under this regulation shall be revocable at will, and no such delegation shall prevent the exercise of any power or function by the Minister or by any other person.

(5) Any delegation under this regulation shall, until revoked, continue in force according to its tenor, notwithstanding that the Minister by whom it was made may have ceased to hold office, and shall continue to have effect as if made by the successor in office of that Minister.

7. The Minister may delegate to the Comptroller of Customs or to a Collector of Customs authority to entertain any application for permission to export goods and to grant or withhold any permission that the Minister is empowered by these regulations to grant or withhold, and any permission given by the Comptroller or by a Collector, in the name of the Minister or in his own name, and the conditions thereof, shall for the purposes of these regulations be as effective as if given by the Minister in person.

8. The Minister may at any time before shipment, by notice in writing given to the person to whom the permission was granted, revoke any permission for the export of any goods granted by him or by the Comptroller or a Collector, and may direct the Comptroller or a Collector at any such time as aforesaid and in like manner to revoke any such permission granted by the Comptroller or the Collector respectively.

9. (1) These regulations shall apply with respect to the export of all goods, notwithstanding that a licence or other authority for the export of any such goods may be in force under the Customs Acts or any other Act or under any regulations other than these regulations.

(2) The granting of permission to export any goods under these regulations shall not absolve any person from the obligation to comply with the requirements of any Act or of any other regulations with respect to the export of the goods.

10. These regulations are in substitution for the Export Prohibition Emergency Regulations 1939* (which were revoked as from the commencement of these regulations by subsection (2) of section 7 of

* Statutory Regulations 1939, Serial number 1939/151, page 677.

Amendment No. 1: Statutory Regulations 1941, Serial number 1941/111, page 362.

Amendment No. 2: Statutory Regulations 1951, Serial number 1951/14, page 22.

the Building Emergency Regulations Act 1953), and, without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that every document made and every thing whatsoever done under any provision of those regulations, so far as it is subsisting or in force at the commencement of these regulations and could have been made or done under these regulations, shall continue and have effect as if it had been made or done under the corresponding provision of these regulations and as if that provision had been in force when the document was made or the thing was done.

T. J. SHERRARD,
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 are made under the Customs Act 1913 to replace without substantial alteration the Export Prohibition Emergency Regulations 1939 and their amendments. Those regulations were in force as supply regulations under the Supply Regulations Act 1947, and were revoked on the repeal of that Act by section 7 of the Building Emergency Regulations Act 1953.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 17 December 1953.

These regulations are administered in the Customs Department.