

Serial Number 1939/273.



**THE IMPORT CERTIFICATES EMERGENCY
REGULATIONS 1939.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 20th day of
December, 1939.

Present :

THE HON. W. NASH PRESIDING IN COUNCIL.

PURSUANT to the Emergency Regulations Act, 1939, and to all other powers enabling him in this behalf, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and being of opinion that the regulations hereinafter enacted are necessary in the public interest, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the Import Certificates Emergency Regulations 1939.

2. In these regulations—

“Comptroller of Customs,” “Collector of Customs,” “importer,” and “Minister” have the same meanings as in the Customs Act, 1913 :

“Certificate of origin and interest” means a certificate issued by a British consular officer or by a New Zealand Government Trade and Tourist Commissioner in the country from which the goods have been imported to the effect that it has been declared before him that the merchandise therein referred to have not been grown, produced, or manufactured in enemy territory and that no person who is an enemy or with whom trading is prohibited under any law or Proclamation of the United Kingdom for the time being in force relating to trading with the enemy or relating to trading with persons of enemy nationality or associations has any interest in such merchandise ; and that there have been produced to his satisfaction invoices or other trustworthy documents in proof thereof :

Provided that for the purposes of any such certificate goods shall not be regarded as having been grown, produced, or manufactured in enemy territory if not more than 25 per cent. of the cost of such goods to the manufacturer is due to material and/or labour of enemy/origin.

3. These regulations shall not apply to any goods which the Collector is satisfied have left the country of exportation before the 1st day of January, 1940.

4. These regulations shall not apply to any class of goods to which the Minister, by notice published or notified in the *Gazette*, directs that they shall not apply :

Provided that any direction under this regulation may from time to time by like notice be modified or withdrawn.

5. Save with the consent of the Minister, no person shall import into New Zealand from any country mentioned in the Schedule hereto any goods that have been grown, produced, or manufactured in enemy territory :

Provided that for the purposes of this regulation goods shall be regarded as having been grown, produced, or manufactured in enemy territory if more than 25 per cent. of the cost of such goods to the manufacturer is due to material and/or labour of enemy origin.

6. A certificate of origin and interest shall be produced and delivered to the Collector upon the entry under the Customs Acts of all goods imported into New Zealand from the countries mentioned in the Schedule hereto :

Provided that the Minister may in his discretion exempt any particular consignment of goods, either wholly or in part, from compliance with this regulation, and any such exemption may be subject to such conditions as the Minister thinks fit, including, in cases of partial exemption, a condition for payment of a deposit as security for subsequent compliance with this regulation.

7. If the Collector has reason to believe or suspect that any goods imported into New Zealand are goods in respect of which a certificate of origin and interest is required by these regulations, he shall detain those goods, and they shall not be delivered from the control of the Customs until the importer has either produced and delivered to the Collector a certificate of origin and interest, or satisfied the Collector or the Comptroller of Customs that no such certificate is required by these regulations.

8. On the detention of any goods under these regulations notice of such detention shall be given by the Collector to the importer or his agent and to the bank, if known, through which the documents relating to the goods have been or are to be negotiated ; and after the receipt by him of such notice it shall not be lawful, so long as the detention continues, for the importer or any other person, without the written consent of the Comptroller of Customs, to pay or remit to any person any sum of money in respect of the purchase or consignment of those goods, or to accept, make, pay, negotiate, or otherwise deal with any bill of exchange or other negotiable instrument for the price of those goods or otherwise having relation thereto.

9. If any goods are detained by a Collector of Customs under these regulations and these regulations have not been complied with to his satisfaction in all respects within three months from the commencement of detention or within such further period as the Comptroller may in any special case allow, then, subject to the provisoes set out in Regulation 6 hereof, such goods shall be deemed to be forfeited and may be seized and condemned and otherwise dealt with as forfeited goods under the Customs Act, 1913.

10. It shall not be lawful for any person to take possession of any goods detained under the authority of these regulations or to interfere in any other manner with the right of detention hereby conferred upon the Collector of Customs.

11. Fees shall be paid in respect of certificates of origin and interest and of additional copies thereof if signed and sealed, issued by a New Zealand Government Trade and Tourist Commissioner in Europe, at the rates payable at the time for the issue of such documents by a British consular officer.

SCHEDULE.

ALL neutral countries in Europe.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 20th day of December, 1939.

These regulations are administered by the Customs Department.