

Serial Number 1938/161.



**THE IMPORT CONTROL REGULATIONS 1938.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 5th day of  
December, 1938.

Present :

THE RIGHT HON. M. J. SAVAGE PRESIDING IN COUNCIL.

PURSUANT to the Customs Act, 1913, and the Reserve Bank of New Zealand Amendment Act, 1936, and to all other powers enabling him in this behalf, and being of opinion that the prohibition of the importation of goods hereinafter referred to is necessary in the public interest and to the end that the economic and social welfare may be promoted and maintained and to enable the Reserve Bank of New Zealand to fulfil its functions of regulating and controlling the transfer of moneys from New Zealand and the disposal of moneys that are derived from the sale of any New Zealand products and for the time being are held overseas, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS.

PRELIMINARY.

1. These regulations may be cited as the Import Control Regulations 1938.
2. These regulations shall come into force on the 7th day of December, 1938.
3. In these regulations,—
  - “Minister” means the Minister of Customs :
  - “License” means a license issued under the authority of these regulations :
  - “Licensing officer” means an officer of Customs being the Comptroller of Customs, or a Collector of Customs, or any other officer of Customs authorized by the Minister to act as a licensing officer for the purposes of these regulations.

## IMPORTATION OF CERTAIN GOODS FORBIDDEN.

4. The importation into New Zealand of any goods is hereby prohibited except —

- (i) Importation pursuant to a license granted by the Minister as hereinafter provided :
- (ii) Importation pursuant to an exemption granted by the Minister under clause 15 of these regulations.

5. The provisions of the last preceding clause hereof shall apply notwithstanding that a license or permission to import any goods may have been heretofore granted or may hereafter be granted in accordance with any other provision of law, and the issue of a license under these regulations shall not absolve any person from compliance with any other provision of law relating to the importation of goods.

## APPLICATION FOR LICENSES.

6. Any person desiring to obtain a license to import any goods shall make application in writing signed by the applicant or by some responsible servant of the applicant on his behalf in the form set out in the Schedule hereto.

7. Every such application shall be delivered to the Collector of Customs at the port at which it is proposed to import the goods in respect of which the application is made: Provided that in any particular case the Minister may approve of delivery of the application to the Comptroller of Customs.

8. Every such applicant shall in addition to the particulars required by the said form supply to the Collector such further information relating thereto as the licensing officer may require.

9. Every application for a license to import goods at a stated time or within a stated period shall be made at such date prior to the proposed time or period of importation as the Minister may require.

## GRANT OF LICENSE.

10. The Minister may in his discretion grant a license in respect of all the goods included in any application or in respect of part only of such goods or may decline to grant any application.

11. The Minister may grant any license subject to such conditions as he thinks fit to impose, and in particular any license may specify a period within which goods comprised in the license may be imported.

12. The Minister may, by notice in writing to a licensee given at any time prior to actual shipment of the goods from the country of export to New Zealand, revoke any license or modify the terms and conditions thereof.

## DELEGATION AND RECONSIDERATION.

13. Pursuant to section 11 of the Customs Act, 1913, the Minister may from time to time by writing under his hand delegate to any licensing officer the powers of granting, revoking, and modifying licenses hereby conferred on the Minister.

14. If any applicant or licensee is dissatisfied as to the grant, refusal, revocation, or modification of a license or the conditions imposed on the grant of a license, and such grant, refusal, revocation, modification, or imposition of conditions was the act of a licensing officer acting as the delegate of the Minister, such applicant or licensee may by notice in writing apply to the Minister for reconsideration of the act complained of, and may submit in writing such considerations as he thinks fit in support of his application, and the decision of the Minister upon reconsideration shall be final.

#### EXEMPTION.

15. The Minister may at his discretion from time to time by notice in the *Gazette* exempt from the requirement of a license under these regulations any particular goods or classes of goods or goods imported from any particular country or countries, and may from time to time by like notice withdraw any such exemption: Provided that such withdrawal shall not affect the continued operation of the exemption in respect of goods which at the time of withdrawal have been shipped from the country of export to New Zealand.

#### OFFENCES.

16. Every person who makes or causes or permits to be made any application that is false or misleading in any material particular or who supplies false information in connection with any application or license under these regulations or who otherwise fails to comply with these regulations is guilty of an offence against the Customs Acts and shall be liable accordingly.

#### SCHEDULE.

##### APPLICATION FOR A LICENSE TO IMPORT GOODS.

(The application must be lodged with the Collector of Customs at the port at which it is desired to import the goods and must relate only to goods to be imported at that port. A separate application must be made in respect of each class of goods.)

The Collector of Customs,

Port : .....

I [We], [Name, occupation, and address of applicant], hereby apply for a license to import the following goods at the Port of ..... during the period .....

(1.)	(2.)	(3.)	(4.)
Full Description of Goods.	*Country or Countries of Origin.	†C.i.f. Value (New Zealand Currency).	†C.i.f. Value (New Zealand Currency) of Similar goods imported by the Applicant at the above-mentioned Port during any Period or Periods from Time to Time specified by the Minister.
		£	£

\* If more than one country of origin show values in respect of each country in columns (3) and (4).

† Where goods are ordinarily purchased on an f.o.b. basis and the c.i.f. value is unknown, the c.i.f. value may be taken at the f.o.b. value plus 10 per cent.

Particulars as to manner of payment for the goods by applicant for license, including name of bank in New Zealand through which payment is to be arranged [*If payment is to be made otherwise than directly to supplier of the goods give name and address of person, firm, or company to whom payment is to be made*]: .....

I hereby declare that the particulars contained in this application are true and correctly stated in every respect.

*Signature of Applicant* : .....

*Date* : .....

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

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Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 6th day of December, 1938.

These regulations are administered by the Customs Department.

(C. No. 199.)