



**THE IMPORT CONTROL REGULATIONS 1973,  
AMENDMENT NO. 3**

—  
DAVID BEATTIE, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 8th day of December 1980

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 16A, 16B, 16C, and 20 of the Trade and Industry Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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**REGULATIONS**

**1. Title and commencement**—(1) These regulations may be cited as the Import Control Regulations 1973, Amendment No. 3, and shall be read together with and deemed part of the Import Control Regulations 1973\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

**2. Effective date of licences and permits**—The principal regulations are hereby amended by inserting, after regulation 2, the following regulation:

“2A. Notwithstanding anything in these regulations, the effective date of a licence shall be the date on which the issue of the licence is authorised by the Minister and the effective date of a permit shall be such date as the Minister may determine in respect of that permit.”

**3. Import licence tender scheme**—The principal regulations are hereby amended by inserting, after regulation 9, the following regulation:

“9A. (1) Notwithstanding anything in these regulations, the Minister may establish an import tendering scheme whereby licences in respect of any goods or any class or classes of goods may be granted by public tender.

\*S.R. 1973/86

Amendment No. 1: S.R. 1977/14

Amendment No. 2: S.R. 1977/289

“(2) The Minister may from time to time, by notice in the *Gazette*, specify the goods or the class or classes of goods in respect of which the import tendering scheme applies, and provide for the terms and conditions which are to apply to the submission and acceptance by him of any tender or tenders in respect thereof.

“(3) Notwithstanding anything in these regulations and without limiting the provisions of regulation 14 hereof, any licence granted by the Minister pursuant to this regulation shall be subject to such conditions as may be prescribed therein.

“(4) Notwithstanding anything in this regulation or regulation 9 hereof, the Minister may grant a licence in respect of all the goods referred to in any tender, or in respect of part only of such goods, or may decline to accept any such tender.

“(5) The Minister shall from time to time publish in the *Gazette* a guide to the import tendering scheme which shall indicate the manner in which licences for goods will be granted under this regulation.”

**4. Offences**—Regulation 18 of the principal regulations is amended by revoking subclause (1), and substituting the following subclause:

“(1) Every person commits an offence and is liable in the case of an individual, to a fine not exceeding \$2,000, and, in the case of a body corporate, to a fine not exceeding \$5,000”, who—

- “(a) Makes or causes or permits to be made any application or tender for the purposes of these regulations that is false or misleading in any material particular; or
- “(b) Supplies false information in connection with any application, tender, licence, or permit under these regulations; or
- “(c) Otherwise fails to comply with any provision, requirement, or condition of, or imposed under, these regulations.”

P. G. MILLEN,  
Clerk of the Executive Council.

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#### EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations amend the Import Control Regulations 1973. They provide for an import tendering scheme whereby licences for certain goods may be granted by public tender and also define the effective date of licences and permits.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 11 December 1980.

These regulations are administered in the Department of Trade and Industry.