



**THE SALES TAX EXEMPTION FROM LICENSING DIRECTION
NOTICE 1980, AMENDMENT NO. 1**

PURSUANT to section 9 of the Sales Tax Act 1974, the Minister of Customs hereby gives the following notice.

NOTICE

1. Title and commencement—(1) This notice may be cited as the Sales Tax Exemption from Licensing Direction Notice 1980, Amendment No. 1, and shall be read together with and deemed part of the Sales Tax Exemption from Licensing Direction Notice 1980* (hereinafter referred to as the principal notice).

(2) This notice shall come into force on the 13th day of November 1980.

2. Direction from requirement to license—(1) Item 1 of the First Schedule to the principal notice is hereby amended by revoking paragraph (c), and substituting the following paragraph:

“(c) The person shall design the goods and have complete, individual, and personal control over the production of every piece at every stage of production.”

(2) Item 1 of the First Schedule to the principal notice is hereby further amended by revoking paragraph (f), and substituting the following paragraph:

“(f) Notwithstanding Item 1 (e) above, a person shall not include—
“(i) Any company incorporated under the Companies Act 1955:

“(ii) Any person who employs staff or who sells through a commission agent to retailers.”

(3) The principal notice is hereby further amended by revoking Item 2 of the First Schedule, and substituting the following item:

“2. Any person manufacturing or intending to manufacture articles of jewellery or other goldsmith's or silversmith's wares of a total sale value not exceeding \$50,000 in any 1 year ending with the 31st day of March, subject to the following conditions:

“(a) The total sale value of the goods includes goods that are exempt from sales tax or subject to sales tax, but does not include goods which are exported by the person:

“(b) Every person qualifying for exemption from licensing under the terms of this decision whose sales exceed \$1,000 in any

one year ended 31 March, shall register with the Customs Department and keep records of materials purchased and goods sold or otherwise disposed of. Every person shall furnish to the Collector of Customs no later than 28 April of each year a statement of goods sold in the last financial year and the estimated sale value of goods likely to be sold in the current financial year:

- “(c) Each article made is to be of a “one-off” design and must be individually designed, constructed, set, and finished by the same individual. The use of machinery is permissible, such as grinding and polishing wheels and drills, provided the tool or the article is under the complete control of the same individual through every stage of the production of each article:
- “(d) Each article must be signed by the maker unless such marking would irretrievably damage the physical or aesthetic quality of the article:
- “(e) Each article shall not include gallery strip, ring tube, precast mounts, or machine made components made in a repetitive manner, except that chain, catches, and joints may be included:
- “(f) For the purposes of this direction a person includes a partnership as determined by the rules for determining partnerships pursuant to section 5 of the Partnership Act 1908:
- “(g) Notwithstanding Item 2 (f) above, a person shall not include—
 - “(i) Any company incorporated under the Companies Act 1955:
 - “(ii) Any person who employs staff or who sells through a commission agent to retailers:
- “(h) For the purposes of this direction, articles of jewellery or other goldsmith’s or silversmith’s wares shall not include neckbands, ringbands (including wedding rings), bracelets, earrings, wire bands, strung beads or bangles which—
 - “(i) Are plain; and
 - “(ii) Do not incorporate stones or pearls; and
 - “(iii) Are not engraved.”

Dated at Wellington this 29th day of October 1980.

H. C. TEMPLETON,
Minister of Customs.

EXPLANATORY NOTE

This note is not part of the notice, but is intended to indicate its general effect.

The amendments to item 1—

- (a) Clarify that the goods produced are those of the individual;
- (b) Provide that the exemption does not apply to companies incorporated under the Companies Act 1955, or to any person who employs staff.

The substituted item 2—

- (a) Excludes certain goods from the exemption from licensing;
- (b) Requires persons qualifying for exemption to register with the Customs Department;
- (c) Amends the method of production of goods that may be produced under the exemption;
- (d) Provides that that the exemption is not to apply to a company incorporated under the Companies Act 1955 or a person who employs staff.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 30 October 1980.
This notice is administered in the Customs Department.