

Serial Number 1948/113

**THE TRADE AGREEMENT (CANADA) ORDER 1948**

B. C. FREYBERG, Governor-General

By his Deputy,
H. F. O'LEARY

ORDER IN COUNCIL

At the Government House at Wellington, this 21st day of
July, 1948.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Customs Amendment Act, 1921, and subsection (2) of section 2 of the Trade Agreement (New Zealand and Canada) Ratification Act, 1932, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and for the purpose of giving effect to an agreement modifying the Trade Agreement between New Zealand and Canada ratified by the Trade Agreement (New Zealand and Canada) Ratification Act, 1932, and modified by Order in Council dated the 18th day of November, 1935,* and by the Trade Agreement (Canada) Order, 1938†, doth hereby order as follows :—

1. This Order may be cited as The Trade Agreement (Canada) Order 1948.

2. This Order shall come into force on the 26th day of July, 1948.

3. The existing Tariff (being the First Schedule to the Customs Acts Amendment Act, 1934, with the alterations thereof referred to in section 6 of that Act and set out in Schedule B of the Appendix to the Trade Agreement (New Zealand and Canada) Ratification Act, 1932, and as modified by Order in Council dated 18th November, 1935,* and by the Trade Agreement (Canada) Order 1938†), is hereby suspended in so far as it relates to the goods set out in the First Schedule hereto being the produce or manufacture of Canada.

4. The duties set forth in the Second Schedule hereto are hereby imposed.

5. Every application of duties hereby effected shall be subject to the provisions of section 143 of the Customs Act, 1913.

6. All duties of Customs that have become due and payable and all penalties and forfeitures that have been incurred before the coming into force of this Order shall be recovered and enforced as if this Order had not been made.

* *Gazette*, 21st November, 1935, Vol. III, page 3336.

† Statutory Regulations 1938, Serial number 1938/30, page 181.

SCHEDULES

FIRST SCHEDULE
DUTIES SUSPENDED

| Item No. | Tariff Items. | Tariff Rates on Goods the Produce or Manufacture of Canada. |
|----------|---|---|
| 35 | Fish, viz. :— (3) Fish, potted, and preserved, viz., salmon, including any liquor, oil, or sauce (4) Fish, potted, and preserved, n.e.i., including any liquor, oil or sauce (NOTE.—The term "fish" is used in the Tariff in its widest sense, and includes shell-fish, crustaceans, and other foods obtained from the fisheries.) | 1½d. per lb. 1¾d. per lb. |
| 196 | (2) <i>Slippers</i> n.e.i. (3) Boots, shoes, clogs, pattens, shoettes, sandals, and other footwear, n.e.i. | 25 per cent. ad valorem. 25 per cent. ad valorem or 3s. per pair whichever rate returns the higher duty. |
| 353 | Machinery, machines, engines, and other appliances, n.e.i., viz. :— (b) (b) Other kinds | 30 per cent. ad valorem. |
| 389 | Motor-vehicles n.e.i., viz. :— (a) <i>Motor-vehicles unassembled or completely knocked down</i> (c.k.d.)— (i) When the expenditure in material produced in Canada, or in Canada and in any other part of the British dominions, and/or labour performed within Canada, or in Canada and in any other part of the British dominions, calculated subject to the provisions of the tariff preference regulations for the time being in force in New Zealand, in each and every article is not less than 75 per cent. of the factory or works cost of such article in its finished state, and provided that with respect to such article the laws, regulations, and conditions for the time being in force in New Zealand for the application of its British Preferential Tariff are complied with (ii) When the expenditure in material produced in Canada, or in Canada and in any other part of the British dominions, and/or labour performed within Canada, or in Canada and in any other part of the British dominions, calculated subject to the provisions of the tariff preference regulations for the time being in force in New Zealand, in each and every article is not less than 65 per cent. of the factory or works cost of such article in its finished state, and provided that with respect to such article the laws, regulations, and conditions for the time being in force in New Zealand for the application of its British Preferential Tariff are complied with | 10 per cent. ad valorem. 12½ per cent. ad valorem. |

FIRST SCHEDULE—*continued*
DUTIES SUSPENDED—*continued*

| Item No. | Tariff Items. | Tariff Rates on Goods the Produce or Manufacture of Canada. |
|----------|---|---|
| 389 | <p><i>Motor-vehicles, n.e.i. :—continued</i></p> <p>(a) <i>Motor-vehicles unassembled or completely knocked down (c.k.d.)—continued</i></p> <p>(iii) When the expenditure in material produced in Canada, or in Canada and in any other part of the British dominions, and/or labour performed within Canada, or in Canada and in any other part of the British dominions, calculated subject to the provisions of the tariff preference regulations for the time being in force in New Zealand, in each and every article is less than 65 per cent. of the factory or works cost of such article in its finished state</p> <p>(c) Other kinds—</p> <p>(i) When the expenditure in material produced in Canada, or in Canada and in any other part of the British dominions, and/or labour performed within Canada, or in Canada and in any other part of the British dominions, calculated subject to the provisions of the tariff preference regulations for the time being in force in New Zealand, in each and every article is not less than 75 per cent. of the factory or works cost of such article in its finished state, and provided that with respect to such article the laws, regulations, and conditions for the time being in force in New Zealand for the application of its British Preferential Tariff are complied with ..</p> <p>(ii) When the expenditure in material produced in Canada, or in Canada and in any other part of the British dominions, and/or labour performed within Canada, or in Canada and in any other part of the British dominions, calculated subject to the provisions of the tariff preference regulations for the time being in force in New Zealand, in each and every article is less than 75 per cent. of the factory or works cost of such article in its finished state</p> | <p>50 per cent. ad valorem.</p> <p>25 per cent. ad valorem.</p> <p>60 per cent. ad valorem.</p> |

SECOND SCHEDULE
DUTIES IMPOSED

| Item No. | Tariff Items. | Tariff Rates on Goods the Produce or Manufacture of Canada. |
|----------|--|---|
| 35 | <p>Fish, viz. :—</p> <p>(3) Fish, potted, and preserved, n.e.i., including any liquor, oil, or sauce (NOTE.—The term "fish" is used in the Tariff in its widest sense, and includes shell-fish, crustaceans, and other foods obtained from the fisheries.)</p> | <p>1½d. per lb.</p> |

SECOND SCHEDULE—continued

DUTIES IMPOSED—continued

| Item No. | Tariff Items. | Tariff Rates on Goods the Produce or Manufacture of Canada. |
|----------|--|--|
| 196 | (2) <i>Slippers</i> n.e.i. | 30 per cent. ad valorem. |
| | (3) <i>Boots, shoes, clogs, pattens, shoettes, sandals, and other footwear, n.e.i.</i> | 30 per cent. ad valorem or 3s. 8d. per pair which-ever rate returns the higher duty. |
| 353 | Machinery, machines, engines, and <i>other appliances</i> , n.e.i., viz. :— | |
| | Ex (6) (b) Refrigerating units having a heat removing capacity of less than 6,000 B.t.u. per hour for use in domestic type cabinets of capacities not exceeding 25 cubic feet, but not including such units when imported in or with cabinets | 20 per cent. ad valorem. |
| | Ex (6) (b) Other kinds | 30 per cent. ad valorem. |
| 389 | Motor-vehicles n.e.i., viz. :— | |
| | (a) <i>Motor-vehicles unassembled or completely knocked down (c.k.d.)</i> — | |
| | (i) When the expenditure in material produced in Canada, or in Canada and in any other part of the British dominions, and/or labour performed within Canada, or in Canada and in any other part of the British dominions, calculated subject to the provisions of the tariff preference regulations for the time being in force in New Zealand, in each and every article is not less than 75 per cent. of the factory or works cost of such article in its finished state, and provided that with respect to such article the laws, regulations, and conditions for the time being in force in New Zealand for the application of its British Preferential Tariff are complied with | 12½ per cent. ad valorem. |
| | (ii) When the expenditure in material produced in Canada, or in Canada and in any other part of the British dominions, and/or labour performed within Canada, or in Canada and in any other part of the British dominions, calculated subject to the provisions of the tariff preference regulations for the time being in force in New Zealand, in each and every article is not less than 65 per cent. of the factory or works cost of such article in its finished state, and provided that with respect to such article the laws, regulations, and conditions for the time being in force in New Zealand for the application of its British Preference Tariff are complied with | 15 per cent. ad valorem |

SECOND SCHEDULE—*continued*
DUTIES IMPOSED—*continued*

| Item No. | Tariff Items. | Tariff Rates on Goods the Produce or Manufacture of Canada. |
|----------|--|---|
| 389 | <p>Motor-vehicles, n.e.i.—<i>continued</i>— (a) <i>Motor-vehicles unassembled or completely knocked down (c.k.d.)—continued</i> (iii) When the expenditure in material produced in Canada, or in Canada and in any other part of the British dominions, and/or labour performed within Canada, or in Canada and in any other part of the British dominions, calculated subject to the provisions of the tariff preference regulations for the time being in force in New Zealand, in each and every article is less than 65 per cent. of the factory or works cost of such article in its finished state</p> <p>(c) Other kinds— (i) When the expenditure in material produced in Canada, or in Canada and in any other part of the British dominions, and/or labour performed within Canada, or in Canada and in any other part of the British dominions, calculated subject to the provisions of the tariff preference regulations for the time being in force in New Zealand, in each and every article is not less than 75 per cent. of the factory or works cost of such article in its finished state, and provided that with respect to such article the laws, regulations, and conditions for the time being in force in New Zealand for the application of its British Preferential Tariff are complied with ..</p> <p>(ii) When the expenditure in material produced in Canada, or in Canada and in any other part of the British dominions, and/or labour performed within Canada, or in Canada and in any other part of the British dominions, calculated subject to the provisions of the tariff preference regulations for the time being in force in New Zealand, in each and every article is less than 75 per cent. of the factory or works cost of such article in its finished state</p> <p>(NOTE.—The New Zealand Government shall have the right to require that pneumatic rubber tyres and inner tubes of rubber therefor, imported with and forming part of any motor-vehicle entered under Tariff item 389 (a) or (c), shall be liable for duty at the rates for the time being applicable to similar tyres and tubes under Tariff item 205 (b) if imported not forming part of motor-vehicles.)</p> | <p>40 per cent. ad valorem.</p> <p>30 per cent. ad valorem.</p> <p>50 per cent. ad valorem.</p> |

T. J. SHERRARD,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 22nd day of July, 1948.

These regulations are administered by His Majesty's Customs.