

Serial Number **1953/143**



THE TRADE AGREEMENT (AUSTRALIA) ORDER (No. 2) 1953

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 4th day of November 1953

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 Australia) Ratification Act 1933, 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 Australia and New Zealand, hereby makes the following order.

ORDER

1. (1) This order may be cited as the Trade Agreement (Australia) Order (No. 2) 1953.

(2) This order shall come into force on the 6th day of November 1953.

2. 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 Australia) Ratification Act 1933, and as modified by the Trade Agreement (Australia) Order 1938,* the Trade Agreement (Australia) Order 1948†, and the Trade Agreement (Australia) Order 1951‡) 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 Australia.

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

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

5. All duties of Customs that have become due and payable and all penalties and forfeitures that have been incurred before the commencement of this order shall be recoverable and enforced as if this order had not been made.

* Statutory Regulations 1938, Serial number 1938/29, page 170.

† Statutory Regulations 1948, Serial number 1948/112, page 336.

‡ Statutory Regulations 1951, Serial number 1951/248, page 909.

SCHEDULES

FIRST SCHEDULE

PORTION OF TARIFF SUSPENDED IN RESPECT OF GOODS BEING THE PRODUCE OR
MANUFACTURE OF AUSTRALIA

Item No.	Tariff Item	Tariff Rates on Goods the Produce or Manufacture of Australia
39	Fruits preserved in juice or syrup, viz.:	
	(1) (a) Pineapples	10 per cent ad valorem.
	(b) Prunes	25 per cent ad valorem.
	(2) Other kinds	35 per cent ad valorem.
	(Fruits preserved in juice or syrup, fortified with alcohol to any extent exceeding 40 per cent of proof spirit, shall be charged 40s. per liquid gallon on such juice or syrup, in addition to the appropriate duty on the total value of the goods.)	

SECOND SCHEDULE

RATES OF DUTY IMPOSED

Item No.	Tariff Item	Tariff Rates on Goods the Produce or Manufacture of Australia
39	Fruits preserved in juice or syrup, viz.:	
	(1) Pineapples	10 per cent ad valorem.
	(2) Prunes	25 per cent ad valorem.
	(3) Bananas; cashews; gojavas; oranges	35 per cent ad valorem.
	(4) Apricots; peaches; pears	35 per cent ad valorem.
	(5) Other kinds	35 per cent ad valorem.
	(Fruits preserved in juice or syrup, fortified with alcohol to any extent exceeding 40 per cent of proof spirit, shall be charged 40s. per liquid gallon on such juice or syrup, in addition to the appropriate duty on the total value of the goods.)	

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

EXPLANATORY NOTE

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

This order brings Tariff item 39 for the purposes of the Trade Agreement with Australia into conformity with the provisions of the Tariff, but does not affect the duties under that item.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 5 November 1953.
These regulations are administered in the Customs Department.