



**THE TARIFF (HARMONISED SYSTEM) AMENDMENT ORDER  
1991**

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CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 25th day of November 1991

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 9 and 10 of the Tariff Act 1988, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

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ORDER

**1. Title and commencement**—(1) This order may be cited as the Tariff (Harmonised System) Amendment Order 1991.

(2) This order shall come into force on the 1st day of January 1992.

**2. Alterations to notes, nomenclature, etc.**—Part I of the Tariff is hereby amended in the manner indicated in the First Schedule to this order.

**3. Tariff amended**—The Tariff is hereby amended by omitting so much of Part I as relates to Tariff items 3809.99.01 and 3809.99.09, and substituting, in the appropriate numerical order, the Tariff items, rates of duty, and statistical keys specified in the Second Schedule to this order.

**4. Consequential revocation**—Clause 3 of the Tariff (Miscellaneous) Amendment Order 1991\* is hereby consequentially revoked.

\*S.R. 1991/10

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## SCHEDULES

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### FIRST SCHEDULE

#### AMENDMENTS TO NOTES, NOMENCLATURE, ETC.

Chapter (or Section) Amended	Item, Heading, or Subheading Amended	Amendment
3	-	By adding after Note 1 at the beginning of the Chapter the following Note: “2. In this Chapter, the term ‘pellets’ means products which have been agglomerated either directly by compression or by the addition of a small quantity of binder.”
4	0406.10.00	By omitting the description “Fresh cheese (including whey cheese), not fermented, and curd”, and substituting the following description: “Fresh (unripened or uncured) cheese, including whey cheese, and curd”.
7	-	By omitting paragraph (c) of Note 3 at the beginning of the Chapter, and substituting the following paragraph: “(c) flour, meal, flakes, granules and pellets of potatoes (heading No. 11.05);”.
8	-	By adding after Note 2 at the beginning of the Chapter the following Note: “3. Dried fruit or dried nuts of this Chapter may be partially rehydrated, or treated for the following purposes: “(a) For additional preservation or stabilisation (e.g., by moderate heat treatment, sulphuring, the addition of sorbic acid or potassium sorbate);

FIRST SCHEDULE—*continued*AMENDMENTS TO NOTES, NOMENCLATURE, ETC.—*continued*

Chapter (or Section) Amended	Item, Heading, or Subheading Amended	Amendment
		<p>“(b) To improve or maintain their appearance (e.g., by the addition of vegetable oil or small quantities of glucose syrup),— provided that they retain the character of dried fruit or dried nuts.”</p>
11	11.05	<p>By omitting the description, and substituting the following description: “Flour, meal, flakes, granules and pellets of potatoes:”</p>
	1105.20.00	<p>By omitting the description “Flakes”, and substituting the following description: “Flakes, granules and pellets”.</p>
22	-	<p>By omitting Note 1 at the beginning of the Chapter, and substituting the following Note: “1. This Chapter does not cover: “(a) Products of this Chapter (other than those of heading No. 22.09) prepared for culinary purposes and thereby rendered unsuitable for consumption as beverages (generally heading No. 21.03); “(b) Sea water (heading No. 25.01); “(c) Distilled or conductivity water or water of similar purity (heading No. 28.51); “(d) Acetic acid of a concentration exceeding 10 % by weight of acetic acid (heading No. 29.15); “(e) Medicaments of heading No. 30.03 or 30.04; or “(f) Perfumery or toilet preparations (Chapter 33).”</p>

FIRST SCHEDULE—*continued*AMENDMENTS TO NOTES, NOMENCLATURE, ETC.—*continued*

Chapter (or Section) Amended	Item, Heading, or Subheading Amended	Amendment
	2206.00	By omitting the description “Other fermented beverages (for example, cider, perry, mead):”, and substituting the following description: “Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages not elsewhere specified or included.”.
25	2501.00	By omitting the description “Salt (including table salt and denatured salt) and pure sodium chloride, whether or not in aqueous solution; sea water:”, and substituting the following description: “Salt (including table salt and denatured salt) and pure sodium chloride, whether or not in aqueous solution or containing added anti-caking or free-flowing agents; sea water”.
28	2850.00.00	By omitting the description, and substituting the following description: “Hydrides, nitrides, azides, silicides and borides, whether or not chemically defined, other than compounds which are also carbides of heading No. 28.49”.
29	-	By omitting from Note 7 at the beginning of the Chapter the expression “polybasic acids or imides”, and substituting the expression “polybasic acids, or imides”.

FIRST SCHEDULE—*continued*AMENDMENTS TO NOTES, NOMENCLATURE, ETC.—*continued*

Chapter (or Section) Amended	Item, Heading, or Subheading Amended	Amendment
37	3707.10.00	By omitting the description "Sensitised emulsions", and substituting the following description: "Sensitising emulsions".
38	3806.10.00	By omitting the description "Rosin", and substituting the following description: "Rosin and resin acids".
	3809.91	By omitting the description "Of a kind used in the textile industry:", and substituting the following description: "Of a kind used in the textile or like industries:".
	3809.92	By omitting the description "Of a kind used in the paper industry:", and substituting the following description: "Of a kind used in the paper or like industries:".
42	42.02	By omitting from the description the words "with such materials", and substituting the words "with such materials or with paper".
48	4820.30.00	By omitting the description "Binders, folders and file covers", and substituting the following description: "Binders (other than book covers), folders and file covers".
Section XI	-	By adding the following paragraph to Note 2 (A) to Section XI (which appears immediately after Chapter 49): "When no one textile material predominates by weight, the goods are to be classified as if consisting wholly of that one textile material which is covered by the heading which occurs last in numerical order among those which equally merit consideration."

FIRST SCHEDULE—*continued*AMENDMENTS TO NOTES, NOMENCLATURE, ETC.—*continued*

Chapter (or Section) Amended	Item, Heading, or Subheading Amended	Amendment
55	5504.10.00	By omitting the description "Of viscose", and substituting the following description: "Of viscose rayon".
59	5911.10.00	By omitting from the description the words "technical uses", and substituting the words "technical purposes".
61	-	By omitting Note 8 at the beginning of the Chapter, and substituting the following Note: "8. Garments of this Chapter designed for left over right closure at the front shall be regarded as men's or boys' garments, and those designed for right over left closure at the front as women's or girls' garments, unless the cut of the garment clearly indicates that it is designed for one or other of the sexes. "Garments which cannot be identified as either men's or boys' garments or as women's or girls' garments are to be classified in the headings covering women's or girls' garments." By omitting the New Zealand Note to the Chapter (as inserted by clause 3 of the Tariff (Miscellaneous) Amendment Order 1991).
62	-	By omitting Note 8 at the beginning of the Chapter, and substituting the following Note: "8. Garments of this Chapter designed for left over right closure at the front shall be regarded as men's or boys' garments, and those designed for right over left closure at the front as women's or girls' garments, unless the cut of the garment clearly indicates that it is designed for one or other of the sexes.

FIRST SCHEDULE—*continued*AMENDMENTS TO NOTES, NOMENCLATURE, ETC.—*continued*

Chapter (or Section) Amended	Item, Heading, or Subheading Amended	Amendment
62	-	<p>“Garments which cannot be identified as either men’s or boys’ garments or as women’s or girls’ garments are to be classified in the headings covering women’s or girls’ garments.”</p> <p>By omitting the New Zealand Note to the Chapter (as inserted by clause 3 of the Tariff (Miscellaneous) Amendment Order 1991).</p>
64	64.06	<p>By omitting from the description the words “(including uppers whether or not attached to other than outer soles)”, and substituting the words “(including uppers whether or not attached to soles other than outer soles)”.</p>
71	-	<p>By omitting paragraph (c) of Note 3 at the beginning of the Chapter, and substituting the following paragraph:</p> <p>“(c) Goods of Chapter 32 (for example, lustres);”</p> <p>By omitting paragraph (n) of the said Note 3, and substituting the following paragraph:</p> <p>“(n) Articles classified in Chapter 96 by virtue of Note 4 to that Chapter;”.</p>
73	7308.40.00	<p>By omitting the description “Props and similar equipment for scaffolding, shuttering or pit-propping”, and substituting the following description:</p> <p>“Equipment for scaffolding, shuttering, propping or pit-propping”.</p>
84	84.70	<p>By omitting the description, and substituting the following description:</p> <p>“Calculating machines; accounting machines, postage-franking machines, ticket-issuing machines and</p>

FIRST SCHEDULE—*continued*AMENDMENTS TO NOTES, NOMENCLATURE, ETC.—*continued*

Chapter (or Section) Amended	Item, Heading, or Subheading Amended	Amendment
85	85.21	similar machines, incorporating a calculating device; cash registers.” By omitting the description, and substituting the following description: “Video recording or reproducing apparatus, whether or not incorporating a video tuner.”
	85.28	By omitting the description, and substituting the following description: “Television receivers (including video monitors and video projectors), whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus.”
92	-	By omitting paragraphs (d) to (f) of Note 1 at the beginning of the Chapter, and substituting the following paragraphs: “(d) Brushes for cleaning musical instruments (heading No. 96.03); or “(e) Collectors’ pieces or antiques (heading No. 97.05 or 97.06).”
95	95.06	By omitting from the description the words “Articles and equipment for gymnastics”, and substituting the words “Articles and equipment for general physical exercise, gymnastics”.
	9506.91.00	By omitting the description “Gymnasium or athletics articles and equipment”, and substituting the following description: “Articles and equipment for general physical exercise, gymnastics or athletics”.



FIRST SCHEDULE—*continued*AMENDMENTS TO NOTES, NOMENCLATURE, ETC.—*continued*

Chapter (or Section) Amended	Item, Heading, or Subheading Amended	Amendment
97	-	By omitting from Note 5 at the beginning of the Chapter the words "are to be treated as forming part of", and substituting the words "are to be classified with".
	-	By adding to the said Note 5 the following sentence: "Frames which are not of a kind or of a value normal to the articles referred to in this Note are to be classified separately."

SECOND SCHEDULE  
DUTIES IMPOSED

1352

Number	Statistical Key		Goods	Rates of Duty	
	Code	Unit		Normal Tariff	Preferential Tariff

**Chapter 38**

**Miscellaneous chemical products**

**38.09**

**Finishing agents, dye carriers to accelerate the dyeing or fixing of dye-stuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included:**

– Other:

3809.93

– – Of a kind used in the leather or like industries:

3809.93.01

00E

..

– – – Dye carriers

8  
7/92 7.5

Free

3809.93.09

– – – Other

Free

Free

. . . . In aerosol containers:

01D

No.

. . . . . Containing chlorofluorocarbons

09K

No.

. . . . . Other

19G

kg

. . . . . Other

DIANE WILDERSPIN,  
Acting for Clerk of the Executive Council.

Tariff (Harmonised System) Amendment  
Order 1991

1991/252

## EXPLANATORY NOTE

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

This order, which comes into force on 1 January 1992, makes a number of miscellaneous amendments to nomenclature and notes appearing in the Tariff. The amendments appearing in the *First Schedule* to the order reflect changes recommended by the Customs Co-operation Council at its 73rd/74th (July 1989) Sessions at Brussels, which amendments appear in an Annex to the International Convention on the Harmonized Commodity Description and Coding System.

*Clause 3* and the *Second Schedule* similarly give effect to recommended changes to nomenclature in the existing Tariff items 3809.99.01 and 3809.99.09 (which relate to finishing agents and dye carriers used in certain industries), but also renumber those items as 3809.93.01 and 3809.93.09.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 28 November 1991.

This order is administered in the Ministry of Commerce.