

**Reprint
as at 11 May 2009**



**Customs Export Prohibition
(Toothfish) Order 2006**

(SR 2006/73)

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 27th day of March 2006

Present:

Her Excellency the Governor-General in Council

Customs Export Prohibition (Toothfish) Order 2006: revoked, on 11 May 2009, by clause 6(c) of the Customs Export Prohibition (Toothfish) Order 2009 (SR 2009/64).

Pursuant to section 56 of the Customs and Excise Act 1996, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and being of the opinion that the

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

The Customs Export Prohibition (Toothfish) Order 2006 is administered by the New Zealand Customs Service.

prohibition effected by this order is necessary in the public interest, makes the following order.

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Order

1 Title

This order is the Customs Export Prohibition (Toothfish) Order 2006.

2 Commencement

This order comes into force on 11 May 2006.

3 Interpretation

In this order,—

Commission means the Commission for the Conservation of Antarctic Marine Living Resources, established under Article VII of the Convention

Conservation Measure means Conservation Measure 10-05 (2005), adopted by the Commission in November 2005; and includes any amendment or modification of the Conservation Measure adopted by the Commission

Convention means the Convention on the Conservation of Antarctic Marine Living Resources that was opened for signature at Canberra on 1 August 1980

toothfish means any living or dead fish, and any flesh or other part (whether raw, or in any way processed or preserved) of any fish, of the following species:

- (a) Antarctic toothfish (*Dissostichus mawsoni*);
- (b) Patagonian toothfish (*Dissostichus eleginoides*).

4 Certain toothfish exports prohibited

The exportation of toothfish is prohibited, unless it is covered by a completed catch document (and, if New Zealand is not the country of landing, by a completed re-export document) issued by a party to the Convention in accordance with the Conservation Measure.

Rebecca Kitteridge,
Acting for 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, which comes into force on 11 May 2006, prohibits the exportation of 2 species of toothfish, unless it is covered by a completed catch document (and, if New Zealand is not the country of landing, by a completed re-export document) issued in accordance with Conservation Measure 10-05 (2005). That Measure was adopted by the Commission for the Conservation of Antarctic Marine Living Resources in November 2005, under Article IX of the Convention on the Conservation of Antarctic Marine Living Resources.

This order continues the prohibition formerly in the Customs Export Prohibition (Toothfish) Order 2003 (SR 2003/93). The Fisheries (Toothfish Catch Documentation Scheme) Regulations 2000 (SR 2000/57), which came into force on 11 May 2000 and impose certain duties, also give effect to the Conservation Measure.

Under section 56(5)(a) of the Customs and Excise Act 1996, this order expires on the close of 31 December 2006 except so far as it is expressly confirmed by Act of Parliament passed before that date. Even if confirmed completely in that way, under section 57 of that Act, this order expires on the close of 10 May 2009 unless it is sooner revoked or extended for a further period of up to 3 years.

**Customs Export Prohibition (Toothfish)
Order 2006**

Reprinted as at
11 May 2009

Date of notification in *Gazette*: 30 March 2006.

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Notes

1 *General*

This is a reprint of the Customs Export Prohibition (Toothfish) Order 2006. The reprint incorporates all the amendments to the order as at 11 May 2009, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, *see*

<http://www.pco.parliament.govt.nz/legislation/reprints.shtml>
or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)

- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Customs Export Prohibition (Toothfish) Order 2009 (SR 2009/64): clause 6(c)
