

**Reprint  
as at 11 May 2015**



**Customs Export Prohibition (Toothfish) Order 2009  
(SR 2009/64)**

Customs Export Prohibition (Toothfish) Order 2009: revoked, on 11 May 2015, by clause 5 of the Customs Export Prohibition (Toothfish) Order 2015 (LI 2015/65).

Anand Satyanand, Governor-General

**Order in Council**

At Wellington this 30th day of March 2009

Present:

His Excellency the Governor-General in Council

Pursuant to section 56 of the Customs and Excise Act 1996, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and considering that the prohibition effected by this order is necessary in the public interest, makes the following order.

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This order is administered by the New Zealand Customs Service.**

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## Order

### 1 Title

This order is the Customs Export Prohibition (Toothfish) Order 2009.

### 2 Commencement

This order comes into force on 11 May 2009.

Customs Export Prohibition (Toothfish) Order 2009: confirmed, on 18 December 2009, by section 9(d) of the Subordinate Legislation (Confirmation and Validation) Act 2009 (2009 No 67).

### 3 Expiry

This order expires on the close of 10 May 2015.

Clause 3: amended, on 10 May 2012, by clause 4 of the Customs Export Prohibition (Toothfish) Amendment Order 2012 (SR 2012/64).

### 4 Interpretation

In this order,—

**catch document** means a *Dissostichus* catch document issued in accordance with the Conservation Measure

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

**Conservation Measure**—

- (a) means the Conservation Measure 170/XVIII adopted by the Commission in November 1999; and
- (b) includes any amendment or modification that is—
  - (i) an amendment or modification of that Conservation Measure; and
  - (ii) 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

**export document** means a *Dissostichus* export document issued in accordance with the Conservation Measure

**re-export document** means a *Dissostichus* re-export document issued in accordance with the Conservation Measure

**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*).

**5 Certain toothfish exports prohibited**

The exportation of toothfish is prohibited unless it is covered by—

- (a) an appropriately completed catch document; and
- (b) if the toothfish have, at any time before the exportation, been landed (within the meaning of the Conservation Measure), an appropriately completed export document or, if appropriate, re-export document.

**6 Revocations**

The following orders are revoked:

- (a) Customs Export Prohibition (Toothfish) Order 2000 (SR 2000/59):
- (b) Customs Export Prohibition (Toothfish) Order 2003 (SR 2003/93):
- (c) Customs Export Prohibition (Toothfish) Order 2006 (SR 2006/73).

Michael Webster,  
for Clerk of the Executive Council.

## Reprints notes

### **1** *General*

This is a reprint of the Customs Export Prohibition (Toothfish) Order 2009 that incorporates all the amendments to that order as at the date of the last amendment to it.

### **2** *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3** *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4** *Amendments incorporated in this reprint*

Customs Export Prohibition (Toothfish) Order 2015 (LI 2015/65): clause 5

Customs Export Prohibition (Toothfish) Amendment Order 2012 (SR 2012/64)

Subordinate Legislation (Confirmation and Validation) Act 2009 (2009 No 67): section 9(d)