Customs and Excise Amendment Regulations (No 2) 1999

PURSUANT to sections 65, 71, and 286 of the Customs and Excise Act 1996, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on the recommendation of the Minister for Food, Fibre, Biosecurity and Border Control made after consultation with the Minister for Enterprise and Commerce, makes the following regulations.

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1 Title and commencement

(1) These regulations may be cited as the Customs and Excise Amendment Regulations (No 2) 1999, and are part of the Customs and Excise Regulations 1996[1] ("the principal regulations").

(2) These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

[1] SR 1996/232

Amendment 1998: SR 199/103

Amendment 1999: SR 1999/222

2 Interpretation

Regulation 44 of the principal regulations is amended by revoking the definition of the term **Forum Island Country**, and substituting the following definition:

"**Forum Island Country** means a country (other than New Zealand or Australia) for which the South Pacific Regional Trade and Economic Co-operation Agreement is for the time being in force:."

3 Circumstances in which entry to be made by manufacturer

The principal regulations are amended by inserting, after regulation 52, the following regulation:

"**52A**

(1) This regulation applies in the following circumstances:

"(a) Wine manufactured in New Zealand is removed from a Customs controlled area to a Customs controlled area that is required to be licensed because of regulation 6(a) (**the second Customs controlled area**); and

"(b) As permitted by regulation 56, no entry is made in respect of the wine following its removal to the second Customs controlled area; and

"(c) The licensee of the second Customs controlled area is not the manufacturer of the wine.

"(2) When, in the circumstances specified in subclause (1), the wine is removed from the second Customs controlled area, any entry required to be made in respect of the wine—

"(a) Does not have to be made by the licensee of the second Customs controlled area; and

"(b) Must, instead, be made by the manufacturer of the wine."

MARIE SHROFF,

Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on the 28th day after the date of their notification in the *Gazette*, amend the Customs and Excise Regulations 1996.

Regulation 2 amends regulation 44 of the principal regulations by substituting a new definition of the term **Forum Island Country**. Under the Tariff Act 1988, preferential treatment may be given to the produce or manufacture of a country (other than New Zealand or Australia) in relation to which, at the time of the importation or entry of the goods into New Zealand, the South Pacific Regional Trade and Economic Co-operation Agreement is in force. The current definition or **Forum Island Country** in the principal regulations, while intended to cover the countries (other than New Zealand and Australia) that are party to that Agreement, provides a list of specific countries. That list is now out of date. The new definition will, instead of naming particular countries, cover every country (other than New Zealand or Australia) for which the South Pacific Regional Trade and Economic Co-operation Agreement is for the time being in force.

Regulation 3 inserts a *new regulation 52A* into the principal regulations relating to the requirement of entering New Zealand wine for excise purposes. The new regulation provides that, when wine is stored in a Customs controlled area on behalf of the manufacturer of the wine, entries in respect of the wine must be made by the manufacturer, rather than the licensee of the area.

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