

**Reprint
as at 1 January 2010**



**Customs and Excise (AANZFTA)
Amendment Act 2009**

Public Act 2009 No 21
Date of assent 22 July 2009
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Customs and Excise (AANZFTA) Amendment Act 2009.

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.

This Act is administered by the New Zealand Customs Service.

2 Commencement

This Act comes into force on a date appointed by the Governor-General by Order in Council.

Section 2: Customs and Excise (AANZFTA) Amendment Act 2009 brought into force, on 1 January 2010, by the Customs and Excise (AANZFTA) Amendment Act 2009 Commencement Order 2009 (SR 2009/348).

3 Principal Act amended

This Act amends the Customs and Excise Act 1996.

4 Purpose of Act

The purpose of this Act is to amend the principal Act to provide for a system of issuing New Zealand certificates of origin in relation to goods being exported to countries that are parties to the Agreement Establishing the ASEAN–Australia–New Zealand Free Trade Area done at Cha-am, Phetchaburi, Thailand on 27 February 2009.

5 New Zealand certificates of origin for goods for export to China

- (1) The heading to section 64A is amended by omitting “**China**” and substituting “**party to free trade agreement**”.
- (2) Section 64A(1) is amended by—
 - (a) inserting “in relation to a party to a free trade agreement” after “(a **certification body**)”; and
 - (b) omitting “China” and substituting “that party”.
- (3) Section 64A(2) is amended by omitting “China” and substituting “a party to a free trade agreement”.
- (4) Section 64A(3) is amended by—
 - (a) omitting “China FTA” in the first place where it appears and substituting “relevant free trade agreement”; and
 - (b) omitting “the China FTA” in the second place where it appears and substituting “that agreement”.
- (5) Section 64A is amended by inserting the following subsection after subsection (3):

“(3A) The Governor-General may, by Order in Council, declare a country that is a party to the AANZFTA to be a specified AANZFTA party for the purposes of this Act.”

(6) Section 64A is amended by repealing subsection (4) and substituting the following subsection:

“(4) For the purposes of this section,—

“**AANZFTA** means the Agreement Establishing the ASEAN–Australia–New Zealand Free Trade Area done at Cha-am, Phetchaburi, Thailand on 27 February 2009

“**ASEAN** means the Association of South East Asian Nations

“**China FTA** means the Free Trade Agreement between the Government of New Zealand and the Government of the People’s Republic of China done at Beijing on 7 April 2008

“**free trade agreement** means—

“(a) the China FTA; or

“(b) the AANZFTA

“**party to a free trade agreement** means,—

“(a) in relation to the China FTA, China; or

“(b) in relation to the AANZFTA, a specified AANZFTA party

“**specified AANZFTA party** means a country that is for the time being declared by Order in Council to be a specified AANZFTA party for the purposes of this Act.”

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Notes**1 *General***

This is a reprint of the Customs and Excise (AANZFTA) Amendment Act 2009. The reprint incorporates all the amendments to the Act as at 1 January 2010, 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/editorial-conventions/> or Part 8 of the *Tables of New Zealand 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 and Excise (AANZFTA) Amendment Act 2009 Commencement
Order 2009 (SR 2009/348)
