



Customs and Excise (Objectionable Publications) Amendment Act 2015

Public Act 2015 No 43
Date of assent 9 April 2015
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 (Objectionable Publications) Amendment Act 2015.

2 Commencement

This Act comes into force on the 28th day after the date on which it receives the Royal assent.

3 Principal Act

This Act amends the Customs and Excise Act 1996 (the **principal Act**).

4 Section 209 amended (Offences in relation to importation or exportation of prohibited goods)

- (1) In section 209(5)(a), replace “5 years” with “10 years”.
- (2) Replace section 209(6) with:

- (6) By way of explanation, an offence against subsection (1A) can be affected by, and operate with, related provisions of the Films, Videos, and Publications Classification Act 1993, because an offence of that kind—
- (a) is an offence to which section 132A of that Act (which specifies an aggravating factor to be taken into account in sentencing, etc, for certain publications offences) applies; and
 - (b) is a specified publications offence for the purposes of section 132B of that Act (which specifies a presumption of imprisonment for repeat offenders) if—
 - (i) it is committed before or after the commencement of section 132B of that Act; and
 - (ii) the publication that was the subject of the offence is objectionable (within the meaning of that Act) because it does (to any extent) any or all of the things specified in section 132A(2)(a) to (c) of that Act; and
 - (c) is a **relevant offence** as defined in section 145A(1) of that Act (which relates to extraterritorial jurisdiction).

Legislative history

31 March 2015

Divided from Objectionable Publications and
Indecency Legislation Bill (Bill 124–1) as Bill 124–2B

2 April 2015

Third reading

9 April 2015

Royal assent

This Act is administered by the New Zealand Customs Service.