

Reprint
as at 5 December 2017



**Customs Import Prohibition (Southern Bluefin Tuna)
Order 2016**
(LI 2016/198)

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 29th day of August 2016

Present:

The Right Hon John Key presiding in Council

This order is made under section 54(2) of the Customs and Excise Act 1996—

- (a) on the advice and with the consent of the Executive Council; and
- (b) after the precondition specified in that section has been met.

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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.

Order

1 Title

This order is the Customs Import Prohibition (Southern Bluefin Tuna) Order 2016.

2 Commencement

This order comes into force on 1 October 2016.

Order: confirmed, on 5 December 2017, by section 8(a) of the Subordinate Legislation Confirmation Act 2017 (2017 No 47).

3 Interpretation

In this order, unless the context otherwise requires,—

catch monitoring form means the catch monitoring form issued by the Commission in accordance with the Resolution

Commission means the Commission for the Conservation of Southern Bluefin Tuna established under the Convention

Convention means the Convention for the Conservation of Southern Bluefin Tuna that was opened for signature at Canberra on 10 May 1993

meat, in relation to southern bluefin tuna, means its flesh and does not include its head, eyes, roe, fins, gills, gill covers, guts, or tail

re-export/export after landing of domestic product form means the re-export/export after landing of domestic product form issued by the Commission in accordance with the Resolution

Resolution means the Resolution on the Implementation of a CCSBT Catch Documentation Scheme that was adopted in October 2009 and entered into force on 1 January 2010, as amended from time to time

southern bluefin tuna—

- (a) means any living or dead fish of the species *Thunnus maccoyii*; and
- (b) includes any meat or other part of the fish whether raw or in any way processed or preserved.

4 Importation of southern bluefin tuna prohibited

The importation of southern bluefin tuna is prohibited unless the tuna—

- (a) is accompanied by an appropriately completed and validated—
 - (i) catch monitoring form; or
 - (ii) re-export/export after landing of domestic product form; or
- (b) weighs less than 10 kilograms and is not intended for sale; or
- (c) does not include any meat.

Michael Webster,
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 1 October 2016, prohibits, subject to certain exceptions, the importation of southern bluefin tuna. The prohibition is intended to give effect to New Zealand's obligations as a party to the Convention for the Conservation of Southern Bluefin Tuna.

This order is a confirmable instrument under section 47B of the Legislation Act 2012. It is revoked at the close of 31 December 2017 unless it is earlier confirmed by Act of Parliament. That stated time is the applicable deadline under section 47C(1)(b) of that Act. If it is confirmed, it will, under section 55 of the Customs and Excise Act 1996, expire on the close of 30 September 2019 unless it is revoked or extended before then.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 1 September 2016.

Reprints notes

1 *General*

This is a reprint of the Customs Import Prohibition (Southern Bluefin Tuna) Order 2016 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*

Subordinate Legislation Confirmation Act 2017 (2017 No 47): section 8(a)