

Reprint
as at 20 December 2019



Customs Import Prohibition (Trout) Order 2018 (LI 2018/165)

Patsy Reddy, Governor-General

Order in Council

At Wellington this 10th day of September 2018

Present:

Her Excellency the Governor-General in Council

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

- (a) on the advice and with the consent of the Executive Council; and
- (b) after the precondition in section 54(2) 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 (Trout) Order 2018.

2 Commencement

This order comes into force on 30 September 2018.

Order: confirmed, on 20 December 2019, by section 13(a) of the Subordinate Legislation Confirmation Act 2019 (2019 No 82).

3 Interpretation

In this order, unless the context otherwise requires, **trout product**—

- (a) means any part of a trout; and
- (b) includes the excrement, secretion, semen, or egg of a trout.

4 Trout and trout products prohibited from import

- (1) The goods specified in the Schedule are prohibited from import—
 - (a) in quantities of 10 kilograms or more (whether or not the goods are intended for sale); and
 - (b) in quantities of less than 10 kilograms, if the goods are intended for sale.
- (2) The goods specified in the Schedule may be imported in the quantities prohibited by subclause (1) if the person importing the goods—
 - (a) has the consent of the Minister of Conservation; and
 - (b) is importing the goods in accordance with any conditions imposed by the Minister of Conservation that are not inconsistent with this prohibition.

5 Revocations

The Customs Import Prohibition (Trout) Order 2015 (LI 2015/241) is revoked.

Schedule

Goods prohibited from import

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- 1 The following species of trout, alive or dead:
 - (a) brown trout (*Salmo trutta*):
 - (b) rainbow trout (*Oncorhynchus mykiss*, formerly known as *Salmo gairdneri*):
 - (c) American brook trout or char (*Salvelinus fontinalis*):
 - (d) lake trout or char (*Salvelinus namaycush*):
 - (e) cutthroat trout (*Oncorhynchus clarki*, formerly known as *Salmo clarki*):

- (f) golden trout (*Oncorhynchus aguabonita*, formerly known as *Salmo aguabonita*):
 - (g) gila trout (*Oncorhynchus gilae*, formerly known as *Salmo gilae*):
 - (h) apache trout (*Oncorhynchus apache*):
 - (i) Mexican trout (*Oncorhynchus chrysogaster*):
 - (j) any hybrid of a trout listed in paragraphs (a) to (i).
- 2 Any trout product that is derived from a species of trout listed in item 1.

Rachel Hayward,
acting for 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 30 September 2018, prohibits the importation of trout and trout products in quantities of 10 kilograms or more, or less than 10 kilograms if the goods are intended for sale, except with the consent of, and subject to such conditions as may be imposed by, the Minister of Conservation.

This order continues the prohibition in the Customs Import Prohibition (Trout) Order 2015 and revokes that order.

This order is a confirmable instrument under section 47B of the Legislation Act 2012. It is revoked at the close of 31 December 2019 under section 47C(1)(a) of that Act, unless earlier confirmed by an Act of Parliament. If the order is confirmed, it will continue in force under the Customs and Excise Act 2018 (*see* clause 7 of Schedule 1) until it is revoked at the end of 29 September 2021, as provided for by section 55 of the Customs and Excise Act 1996.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 13 September 2018.

Reprints notes

1 *General*

This is a reprint of the Customs Import Prohibition (Trout) Order 2018 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 2019 (2019 No 82): section 13(a)