Customs Amendment Act (No 3)

Public Act 1991 No 130
Date of assent 18 December 1991

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An Act to amend the Customs Act 1966

BE IT ENACTED by the Parliament of New Zealand as follows:

1 Short Title and commencement

(1) This Act may be cited as the Customs Amendment Act (No. 3) 1991, and shall be read together with and deemed part of the Customs Act 1966.

(2) This Act shall come into force on the day after the date on which it receives the Royal assent.

2 Disclosure of arrival and departure information to Department of Social Welfare

The Customs Act 1966 is hereby amended by inserting, after section 305a (as inserted by section 13(1) of the Customs Acts Amendment Act (No. 2) 1976), the following section:

“305b

“(1) In this section, unless the context otherwise requires, the term ‘benefit’ has the same meaning as in section 3(1) of the Social Security Act 1964; and includes—

“(a) A lump sum payable under section 61db or section 61dc or section 61dd of that Act:

“(b) Any special assistance granted out of the Crown Bank Account from money appropriated by Parliament under section 124(1)(d) or (da) of that Act.

“(2) The purpose of this section is to facilitate the disclosure of information by the Customs to the Department of Social Welfare for the purposes of verifying—

“(a) The entitlement or eligibility of any person to or for any benefit; or

“(b) The amount of any benefit to which any person is or was entitled or for which any person is or was eligible.

“(3) For the purpose of this section, the Director-General of Social Welfare may from time to time, in accordance with arrangements made from time to time between the Director-General and the Comptroller, request the Comptroller to supply, in respect of persons who depart from New Zealand, or persons who arrive in New Zealand from another country, or both, the information specified in subsection (5) of this section.

“(4) Nothing in subsection (3) of this section applies in respect of persons who are exempted, by regulations made under the Immigration Act 1987 or by virtue of any special direction under that Act, from the requirement to surrender an arrival card pursuant to subsection (1)(a) of section 126 of that Act or, as the case may be, a departure card pursuant to subsection (2)(a) of that section.

“(5) The information referred to in subsection (3) of this section is as follows:

“(a) The person’s full name:

“(b) The person’s date of birth:

“(c) The person’s sex:

“(d) The person’s passport number:

“(e) The person’s country of citizenship:

“(f) If the person arrived or, as the case may be, departed by aircraft, the flight number:

“(g) If the person arrived or, as the case may be, departed by ship, the name of the ship:

“(h) The date on which the person arrived in or, as the case may be, departed from New Zealand.

“(6) On receipt of a request made under subsection (3) of this section, the Comptroller may supply the information requested to any officer or employee or

agent of the Department of Social Welfare who is authorised in that behalf by the Director-General of Social Welfare.

"(7) Information supplied pursuant to a request made under subsection (3) of this section may be supplied in such form as is determined by agreement between the Comptroller and the Director-General of Social Welfare."

This Act is administered in the Customs Department.