

**Reprint
as at 1 October 2018**



**Customs and Excise (Objectionable Publications)
Amendment Act 2015**

Public Act 2015 No 43
Date of assent 9 April 2015
Commencement see section 2

Customs and Excise (Objectionable Publications) Amendment Act 2015: repealed, on 1 October 2018, pursuant to section 442 of the Customs and Excise Act 2018 (2018 No 4).

Contents

	Page
1 Title	1
2 Commencement	2
3 Principal Act	2
4 Section 209 amended (Offences in relation to importation or exportation of prohibited goods)	2

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Customs and Excise (Objectionable Publications) Amendment Act 2015.

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 Act is administered by the New Zealand Customs Service.

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).

Reprints notes

1 *General*

This is a reprint of the Customs and Excise (Objectionable Publications) Amendment Act 2015 that incorporates all the amendments to that Act 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*

Customs and Excise Act 2018 (2018 No 4): section 442