



Customs and Excise (Border Processing—Trade Single Window) Amendment Regulations 2014

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 19th day of May 2014

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to the Customs and Excise Act 1996, Her Excellency the Administrator of the Government makes the following regulations, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) so far as the regulations are made under section 286 (read with section 118(1)(a)) of that Act, on the recommendation under section 118(2) of that Act of the Minister of Customs made after the consultation required by section 118(3) of that Act; and
- (c) so far as the regulations are made under section 287(1)(a) (read with sections 40A(1) and 50A(1)) of that Act, on the recommendations under sections 40A(1) and 50A(1) of that Act of the Minister of Customs made after the consultation required by sections 40A(3) and 50A(3) of that Act.

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Regulations

- 1 Title**

These regulations are the Customs and Excise (Border Processing—Trade Single Window) Amendment Regulations 2014.
- 2 Commencement**

These regulations come into force on 24 June 2014.
- 3 Principal regulations**

These regulations amend the Customs and Excise Regulations 1996 (the **principal regulations**).
- 4 Regulation 8 revoked (Application for Customs controlled area licence)**

Revoke regulation 8.
- 5 Regulation 11A revoked (Application for CASE licence)**

Revoke regulation 11A.
- 6 Regulation 12 amended (Content of advance notice of arrival varies depending on type of craft and what carried)**

Revoke regulation 12(1)(a) and (b).
- 7 Regulation 12B revoked (Content of advance notice of arrival: craft carrying cargo)**

Revoke regulation 12B.
- 8 New regulation 13AA inserted (Deadline prescribed for inward cargo report)**

After regulation 13, insert:

“13AA Deadline prescribed for inward cargo report

The deadline for an inward cargo report required by section 21A of the Act is,—

“(a) in the case of a ship or boat, 48 hours before the estimated time of arrival of the craft in New Zealand; and

“(b) in the case of an aircraft, 2 hours before the estimated time of arrival of the aircraft in New Zealand.”

9 Regulation 13A amended (Inward cargo transaction fee)

- (1) In regulation 13A(1)(a), replace “advance notice of the matters in section 21(1)(a)(v) and (vi) of the Act (which relate to cargo for discharge within New Zealand (whether commercial or non-commercial) and commercial cargo not intended for discharge within New Zealand)” with “an inward cargo report under section 21A of the Act”.
- (2) In regulation 13A(2)(a) and (b) and (5), replace “advance notice” with “report”.
- (3) In regulation 13A(3)(a) and (b) and (4)(a), replace “an advance notice” with “the report”.

10 Regulation 17A amended (Delivery time of outward report of craft)

- (1) In the heading to regulation 17A, replace “outward report” with “advance notice of departure”.
- (2) In regulation 17A, replace “outward report” with “advance notice of departure”.

11 New regulation 17B inserted (Deadline prescribed for outward cargo report)

After regulation 17A, insert:

“17B Deadline prescribed for outward cargo report

The deadline for an outward cargo report required by section 37A of the Act is,—

- “(a) in the case of a ship or boat and cargo more than half of which, by volume, is not in bulk cargo containers, 48 hours after the time of departure from the point or place in New Zealand of the craft to which the report relates; and
- “(b) in the case of a ship or boat and cargo more than half of which, by volume, is in bulk cargo containers, 24 hours after the time of departure from the point or place in New Zealand of the craft to which the report relates; and

“(c) in the case of an aircraft, 2 hours after the time of departure from the point or place in New Zealand of the craft to which the report relates.”

12 Regulation 23 amended (When entry of imported goods deemed to be made)

In regulation 23(a), replace “Customs computerised entry processing system” with “JBMS”.

13 Regulation 24 amended (Passing of entry of imported goods)

In regulation 24(a), replace “Customs computerised entry processing system” with “JBMS”.

14 Regulation 25 amended (Certain imported goods exempt from entry)

After regulation 25(h), insert:

“(ha) goods that are to be, or are being, transhipped internationally, and are covered by a transshipment request under section 48A(2) agreed to by the chief executive:”.

15 New regulation 27A inserted (Deadline prescribed for transshipment requests)

After regulation 27, insert:

“27A Deadline prescribed for transshipment requests

The deadline for transshipment requests made under section 48A(2) of the Act to the Customs is,—

“(a) in the case of cargo to be or being transhipped internationally,—

“(i) on a ship or boat, 24 hours before the estimated time of arrival in New Zealand of the craft on which the cargo is brought from a point outside New Zealand; and

“(ii) on an aircraft, 1 hour before the estimated time of arrival in New Zealand of the craft on which the cargo is brought from a point outside New Zealand; and

“(b) in the case of cargo to be or being transhipped domestically on a craft, the close of the 20th day after the date on which the craft on which the cargo is brought from a point outside New Zealand arrives at the (Customs or other) place to which the craft proceeds directly on arriving within New Zealand.”

16 Regulation 29 amended (Goods for export exempt from entry)

After regulation 29(g), insert:

“(ga) goods that are to be, or are being, transhipped internationally, and are covered by a transhipment request under section 48A(2) agreed to by the chief executive:”.

17 Regulation 29A amended (Outward cargo transaction fee)

Replace regulation 29A(2)(a) with:

“(a) an outward cargo report required by section 37A of the Act; or”.

18 Regulation 70 amended (Minimum amount of duty collectable)

In regulation 70(3)(aa) and (ab), replace “Schedule 3 of the Act” with “the Excise and Excise-equivalent Duties Table (as defined by section 76A of the Act)”.

19 Part 10 revoked

Revoke Part 10.

20 Schedule 2, form 1 revoked

In Schedule 2, revoke form 1.

21 Schedule 2, form 2A revoked

In Schedule 2, revoke form 2A.

22 Schedule 2, form 9 revoked

In Schedule 2, revoke form 9.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 24 June 2014, are made under the Customs and Excise Act 1996 (the **Act**). They amend and update the Customs and Excise Regulations 1996 to reflect amendments made to the Act by the Customs and Excise (Border Processing—Trade Single Window and Duties) Amendment Act 2014, most of which also comes into force on 24 June 2014. These regulations—

- revoke provisions in respect of matters to be provided for instead by way of chief executive rules made under section 288 of the Act;
- prescribe deadlines for, and otherwise recognise, inward cargo reports, outward cargo reports, and transshipment requests;
- replace an outdated reference to Schedule 3 of the Act with a reference to the Excise and Excise-equivalent Duties Table (as defined by section 76A of the Act);
- replace references to the Customs computerised entry processing system with references to the Joint Border Management System or JBMS (as defined in section 131A of the Act).

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 22 May 2014.

These regulations are administered by the New Zealand Customs Service.
