



Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 Amendment Order 2011

Anand Satyanand, Governor-General

Order in Council

At Wellington this 18th day of July 2011

Present:

His Excellency the Governor-General in Council

Pursuant to sections 3(1) and 3A(1) of the Imports and Exports (Restrictions) Act 1988, His Excellency the Governor-General, being satisfied that it is necessary to give effect to an international obligation and acting on the advice and with the consent of the Executive Council, makes the following order.

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Order

- 1 Title**
This order is the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 Amendment Order 2011.
 - 2 Commencement**
This order comes into force on the 28th day after the date of its notification in the *Gazette*.
 - 3 Principal order amended**
This order amends the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004.
 - 4 Schedule 1 amended**
Schedule 1 is amended by inserting in their appropriate alphabetical order the items set out in Schedule 1 of this order.
 - 5 New Schedule 2 substituted**
Schedule 2 is revoked and the Schedule 2 set out in Schedule 2 of this order substituted.
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Schedule 1 cl 4
Items inserted in Schedule 1

Alpha hexachlorocyclohexane
Beta hexachlorocyclohexane
Chlordecone
Hexabromobiphenyl
Hexabromodiphenyl ether and heptabromodiphenyl ether
Lindane
Pentachlorobenzene

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Schedule 2

Perfluorooctane sulfonic acid (PFOS), its salts, and perfluorooctane sulfonyl fluoride (PFOSF)

Technical endosulfan and its related isomers

Tetrabromodiphenyl ether and pentabromodiphenyl ether

Schedule 2

cl 5

New Schedule 2 substituted

Schedule 2

cl 4

Rotterdam chemicals

- 1 1,2-dibromoethane (EDB)
- 2 2,4,5-T and its salts and esters
- 3 Actinolite asbestos
- 4 Amosite asbestos
- 5 Anthophyllite asbestos
- 6 Binapacryl
- 7 Captafol
- 8 Chlordimeform
- 9 Chlorobenzilate
- 10 Crocidolite
- 11 Dinitro-ortho-cresol (DNOC) and its salts (including ammonium salt, potassium salt, and sodium salt)
- 12 Dinoseb and its salts and esters
- 13 Dustable powders containing a combination of benomyl at or above 7%, carbofuran at or above 10%, and thiram at or above 15%
- 14 Ethylene dichloride
- 15 Ethylene oxide
- 16 Fluoroacetamide
- 17 HCH (mixed isomers)
- 18 Mercury compounds, including inorganic mercury compounds, alkyl mercury compounds, and alkyloxyalkyl and aryl mercury compounds
- 19 Methamidophos (soluble liquid formulations of the substance that exceed 600 g active ingredient/l)

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Schedule 2—*continued*

- 20 Methyl-parathion (emulsifiable concentrates (EC) at or above 19.5% active ingredient and dusts at or above 1.5% active ingredient)
- 21 Monocrotophos
- 22 Parathion
- 23 Pentachlorophenol and its salts and esters
- 24 Phosphamidon (soluble liquid formulations of the substance that exceed 1 000 g active ingredient/ℓ)
- 25 Polybrominated biphenyls (PBB)
- 26 Polychlorinated terphenyls (PCT)
- 27 Tetraethyl lead
- 28 Tetramethyl lead
- 29 Tremolite asbestos
- 30 Tributyltin compounds
- 31 Tris (2,3-dibromopropyl) phosphate

Rebecca Kitteridge,
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 the 28th day after the date of its notification in the *Gazette*, amends the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 (the **principal order**).

Clause 4 adds 10 chemicals to the list in Schedule 1 of the principal order. *Schedule 1* chemicals are known as persistent organic pollutants (POPs) or Stockholm chemicals after the Stockholm Convention on Persistent Organic Pollutants.

Clause 5 revokes and substitutes Schedule 2 of the principal order. *Schedule 2* lists chemicals known as Rotterdam chemicals as they are listed in Annex III to the Rotterdam Convention on Prior Informed

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Explanatory note

Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. *New Schedule 2* reflects changes to the Rotterdam Convention by—

- omitting Lindane, which has been added to Schedule 1 by *clause 4*:
- inserting items 3 to 6, 11, 13 to 15, and 27 to 30:
- amending the scope of items 2, 12, and 20 to 23.

The principal order regulates the import and export of Stockholm and Rotterdam chemicals consistently with New Zealand's obligations under the Stockholm Convention and the Rotterdam Convention.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 21 July 2011.

This order is administered by the Ministry of Economic Development.
