



ANALYSIS

Title
1. Short Title

2. Control of imports
3. Increase in penalties for offences

1980, No. 45

An Act to amend the Trade and Industry Act 1956

[26 November 1980

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Trade and Industry Amendment Act 1980, and shall be read together with and deemed part of the Trade and Industry Act 1956 (hereinafter referred to as the principal Act).

2. Control of imports—(1) Section 16B (3) (a) of the principal Act (as inserted by section 4 of the Trade and Industry Amendment Act 1973) is hereby amended by omitting the words “(if any)”, and substituting the words “(including, in relation to any scheme for the granting of licences or permits through public tender, the payment of consideration to the Crown)”.

(2) Section 21 (1) of the Sales Tax Act 1974 is hereby consequentially amended by adding, after paragraph (b), the following paragraph:

“(ba) The amount of any consideration paid to the Crown for the issue of the licence or permit under section 16B of the Trade and Industry Act 1956 for the importation of those goods or, where those goods

are only part of the goods authorised to be imported under that licence or permit, such proportion of that amount as, in the opinion of the Collector, is attributable to that part.”.

(3) Section 21 of the Sales Tax Act 1974 is hereby further amended—

- (a) By omitting from subsection (1) (c) the expression “and (b)”, and substituting the expression “, (b), and (ba)”:
- (b) By omitting from subsection (2) the expression “and (b)”, and substituting the expression “, (b), and (ba)”:
- (c) By omitting from subsection (2) the words “the amount referred to in the said paragraph (a)”, and substituting the words “the sum of the amounts referred to in the said paragraphs (a) and (ba)”.

3. Increase in penalties for offences—(1) The principal Act is hereby further amended in the manner indicated in the Schedule to this Act.

(2) Any proceedings commenced (whether before or after the commencement of this Act) for an offence against the principal Act or any regulations made under it arising out of any act done or omitted before the passing of this Act shall be heard and determined as if subsection (1) of this section had not been passed.

Section 3

SCHEDULE

INCREASE IN PENALTIES FOR OFFENCES

Provision of Principal Act	Amendment
Section 16c	<p>By repealing subsection (4), and substituting the following subsection:</p> <p>“(4) Every person who commits an offence against this section is liable to a fine not exceeding—</p> <p>“(a) In the case of an individual, \$5,000, and in the case of a body corporate, \$25,000; or</p> <p>“(b) In either case, an amount equal to 3 times the value of the goods to which the offence relates,—</p> <p>whichever is the greater.”</p> <p>By omitting from subsection (6) the words “not exceeding in any one case \$200”, and substituting the words “in the case of an individual, not exceeding \$5,000, and in the case of a body corporate, not exceeding \$25,000”.</p>
Section 20 (2) (c)	<p>By omitting the expression “\$2,000”, and substituting the expression “\$25,000”.</p>

This Act is administered in the Department of Trade and Industry.
