

TARIFF AND DEVELOPMENT BOARD AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Tariff and Development Board Act 1961 in relation to the procedures to be followed after the Emergency Protection Authority has made a report and temporary duties or import restrictions have been imposed under section 10E of the Act (as enacted by the Tariff and Development Board Amendment Act 1967).

Clause 1 relates to the Short Title.

Clause 2, subclause (1): Under section 10E (3) of the principal Act a temporary duty or import restriction imposed on the recommendation of the Emergency Protection Authority ceases to have effect (unless it is sooner revoked) at the end of 3 months from the date when the Minister receives the final report of the Tariff and Development Board on the question referred to it.

This subclause substitutes a new subsection (3), under which the temporary duty or restriction will cease to have effect either when it is superseded or at the end of 5 months from the date when the Minister receives the Board's final report, whichever event first happens. The alteration from 3 months to 5 months will allow further time for consultation with other countries in cases where New Zealand is required to do so under international or bi-lateral agreements.

Subclause (2): Under section 10E (4), if the Board's final report is not received within 12 months from the date when the temporary duty or restriction was imposed, that duty or restriction ceases to have effect unless at or before the end of that period it is reimposed, or a new temporary duty or restriction is imposed in its place, following a further report from the Authority made after the question has again been referred to him.

This subclause does not alter that provision; but it adds, as an alternative to a further reference to and report from the Authority, a provision for action to be taken on an interim report received from the Board within 10 months after the imposition of the temporary duty or restriction.

Subclause (3): Section 10E (5) requires the Minister to give notice in the *Gazette* of the receipt by him of the final report of the Board or, as the case

may be, of a further report from the Authority after the question has again been referred to him under section 10E (4).

This subclause rewrites section 10E (5) so as to make it unnecessary for notice of a further report from the Authority to be gazetted, or for the Minister to sign *Gazette* notices. The new subsection requires notice to be given in the *Gazette* of the receipt by the Minister of the Board's final report.

Hon. Mr Shelton

**TARIFF AND DEVELOPMENT BOARD
AMENDMENT**

ANALYSIS

Title
1. Short Title

| 2. Temporary duty or restriction on
importation

A BILL INTITULED

An Act to amend the Tariff and Development Board Act 1961

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

1. Short Title—This Act may be cited as the Tariff and
Development Board Amendment Act 1970, and shall be read
together with and deemed part of the Tariff and Development
Board Act 1961* (hereinafter referred to as the principal
10 Act).

2. Temporary duty or restriction on importation—
(1) Section 10E of the principal Act (as inserted by section 3
of the Tariff and Development Board Amendment Act 1967)
is hereby amended by repealing subsection (3), and substitut-
15 ing the following subsection:

*1961, No. 123

Amendments: 1964, No. 113; 1965, No. 31; 1967, No. 52; 1969, No. 108

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“(3) A temporary duty or temporary restriction on importation imposed pursuant to this section shall, unless it is sooner revoked, cease to have effect either on the date on which it is superseded or on the expiration of a period of 5 months from the date on which the Minister who requested the report receives the final report of the Board on the question so referred to it, whichever event first happens.” 5

(2) The said section 10E is hereby further amended by inserting in subsection (4), after the word “following”, the words “either an interim report from the Board, received by the Minister before the expiration of a period of 10 months from the date on which the temporary duty or restriction was imposed, or” 10

(3) The said section 10E is hereby further amended by repealing subsection (5), and substituting the following subsection: 15

“(5) For the purposes of this section, as soon as practicable after the Minister who requested the report from the Board receives the final report of the Board, notice shall be given in the *Gazette* of the fact that the Minister has received that report and of the date on which he received it.” 20