



Customs Import Prohibition Order 2002

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 9th day of September 2002

Present:

Her Excellency the Governor-General in Council

Pursuant to section 54 of the Customs and Excise Act 1996, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and being of the opinion that the prohibitions effected by this order are necessary in the public interest, makes the following order.

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Order

1 Title

This order is the Customs Import Prohibition Order 2002.

2 Commencement

This order comes into force on 1 October 2002.

3 Expiry

This order expires on the close of 30 September 2005.

4 Prohibited asbestos imports

- (1) The importation of the goods specified in subclause (2) is prohibited, except with the consent of, and subject to such conditions (if any) not inconsistent with this prohibition as may be imposed by, the Minister of Commerce.
- (2) The goods referred to in subclause (1) are—
 - (a) amosite, in its raw fibrous state; and
 - (b) chrysotile, in its raw fibrous state; and
 - (c) crocidolite, in its raw fibrous state.

5 Prohibited offensive weapons imports

The importation of the goods specified in Schedule 1 is prohibited, except with the consent of, and subject to such conditions (if any) not inconsistent with this prohibition as may be imposed by,—

- (a) the Commissioner of Police; or
- (b) a Deputy Commissioner of Police; or
- (c) the Manager: Licensing and Vetting, New Zealand Police; or
- (d) the National Operations Manager, New Zealand Police.

6 Prohibited trade descriptions goods imports

The importation of the goods specified in Schedule 2 is prohibited, except with the consent of, and subject to such conditions (if any) not inconsistent with this prohibition as may be imposed by, the Minister of Customs.

Schedule 1

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Prohibited offensive weapons imports

- 1 Knuckle-dusters, knives incorporating knuckle-dusters, swordsticks, and any weapon disguised to give the appearance of another article.

- 2 Any knife having a blade that opens automatically by hand pressure applied to a button, spring, or other device in or attached to the handle of the knife (sometimes known as a flick knife or flick gun).
 - 3 Any knife having a blade that is released from the handle or sheath by the force of gravity or the application of centrifugal force, and that, when released, is locked in place by means of a button, spring, lever, or other device (sometimes known as a gravity knife or butterfly knife).
 - 4 With the exception of any folding pocket knife with a blade less than 10 cm in length, any knife that—
 - (a) is designed for ease of concealment on the person; or
 - (b) has a double-edged blade that is designed or suitable for stabbing or throwing (as opposed to cutting); or
 - (c) is a knife of any of the kinds sometimes known as an urban skinner, terminator, black eagle, black dagger, or throwing knife.
 - 5 Bayonets.
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Schedule 2

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Prohibited trade descriptions goods imports

- 1 Any motor vehicle the odometer reading of which does not correctly record the distance the vehicle has been driven.
- 2 Any motor vehicle imported without an odometer.
- 3 Any goods bearing, or to which there is attached in any manner whatsoever, any statement or indication (for example, a statement or indication by words, numbers, marks, pictures or symbols, or a combination of those things) that is incorrect or misleading as to—
 - (a) the particular kind or standard, quality, grade, quantity, composition, style, model, particular history, or particular previous use of the goods; or
 - (b) the goods being new, or reconditioned, or manufactured, produced, processed, or reconditioned in a particular place or at a particular time; or
 - (c) the country or place of origin of the goods.
- 4 Any goods in respect of which there is applied to any covering, packaging, label, wrapper, ticket, reel, or thing in or with which the goods are supplied any statement or indication (for example, a statement or indication by words, numbers, marks, pictures or symbols, or a combination of those things) that is incorrect or misleading as to—
 - (a) the particular kind or standard, quality, grade, quantity, composition, style, model, particular history, or particular previous use of the goods; or
 - (b) the goods being new, or reconditioned, or manufactured, produced, processed, or reconditioned in a particular place or at particular time; or
 - (c) the country or place of origin of the goods.

Marie Shroff,
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 1 October 2002, prohibits the importation of various goods under the Customs and Excise Act 1996 except with the relevant Ministerial or official consent.

The prohibited imports are—

- certain asbestos;
- certain offensive weapons;
- certain trade descriptions goods.

This order continues prohibitions that were formerly in place under the Customs Import Prohibition Order 1999 (SR 1999/271). That order expired on the close of 30 September 2002.

There are only 3 changes (or kinds of changes) from that order.

First, because it duplicated other similar, clearly sufficient protections in the Marine Mammals Protection Act 1978 and the Trade in Endangered Species Act 1989, a prohibition on the importation of whales and whale products is discontinued.

Second, the description in *clause 4 of Schedule 1* is amended to make it clearer that a folding pocket knife with a blade less than 10 cm in length is excepted from that description.

Third, references to Ministers are updated.

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

Date of notification in *Gazette*: 12 September 2002.

This order is administered in the New Zealand Customs Service.
