



# New Zealand Gazette

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## **CUSTOMS EDITION**

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WELLINGTON: TUESDAY, 5 OCTOBER 2010

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## **TARIFF CONCESSION NOTICES**

(INCLUDING OTHER NOTICES UNDER THE  
TARIFF ACT 1988, THE DUMPING AND COUNTERVAILING DUTIES ACT 1988  
AND THE CUSTOMS AND EXCISE ACT 1996)

**TARIFF CONCESSION (ADVERTISEMENT) NOTICE NO. 2010/35**

Applications Advertised for Objection  
Closing Date for Objections 26th October 2010

- 1 Notice is hereby given that the following applications have been made in respect of the goods advertised in the Schedule to this notice. Any person wishing to lodge an objection should do so in writing, to the Ministry of Economic Development, PO Box 1473, Wellington, Fax 04-499 8508, before 26th October 2010. All submissions should include:
  - the Tariff Concession (Advertisement) Notice number; the Tariff item; and
  - Reference number.
- 2 All submissions from local manufacturers should include:
  - the range of alternative goods made locally;
  - the grounds on which objection is made (including reasons why the local product is a suitable alternative);
  - present and potential output;
  - details of factory cost in terms of materials, labour, overheads, including the proportion of domestic and imported content.
- 3 Where further information is required in order to make a submission an objector should contact the applicant in writing and refer a copy of the enquiry to the Ministry of Economic Development quoting the details in paragraph 1 above.

**SCHEDULE**

Tariff Item	Description of Goods	Name and Address of Applicant	Part II Ref.	Appn. Ref. No.	*Category of Appn.
3926.90.69	Extruded PVC belt or sheet, with micro-channels, for use in drainage or irrigation applications	Chemiplas NZ Ltd C/- Burnard International Ltd PO Box 53062 AUCKLAND AIRPORT	99	303045J	A
8544.60	Water cooled cables for a voltage exceeding 1000v	PLC Supplies C/- DHL Global Forwarding PO Box 73107 AUCKLAND AIRPORT	99	303046G	A
8716.20.00	Slurry spreaders	Mondiale Freight Services Ltd PO Box 53004 AUCKLAND AIRPORT	99	303047E	A

- Category of Application:
 

A	–	General Approval
CE	–	Capital Equipment
IM	–	Inputs to Manufacturing – Inability to Supply
MS	–	Manufacturers' Samples
RUC	–	Revocation of Unused Concession
S	–	Shortfall of Other Than Manufacturing Inputs
SMI	–	Shortfall of Manufacturing Inputs
SS	–	Special Situation
V	–	Variation of Existing Concession
W	–	Withdrawal of Concession
+	–	Denotes amendment or addition

Dated at Wellington this 30th day of September 2010.

V.A. MANKS, Ministry of Economic Development.

Tariff Act 1988

**TARIFF CONCESSION APPROVALS, WITHDRAWALS AND DECLINES NOTICE (NO. 35) 2010**

I, Vincent Anthony Manks, Executive Officer, Ministry of Economic Development, acting pursuant to section 8 of the Tariff Act 1988 under delegated authority hereby:

- (a) In accordance with Part II of the Tariff approve in respect of the entry of goods listed in the First Schedule to this notice the rates of duty or exemptions from duty specified in that Schedule with effect from the first day of the month so specified; and
- (b) In accordance with Part II of the Tariff approve in respect of the entry of goods listed in the Second Schedule to this notice the exemptions from duty specified in that Schedule with effect from the first day of the month so specified subject however to such purposes and conditions which I prescribe
- (c) Withdraw with effect fourteen days from the date of this Gazette, or otherwise at the date so specified, the approvals granted in respect of the entry of goods listed in the Third Schedule to this notice

**FIRST SCHEDULE**  
Concessions Approved

Tariff Item	Description of Goods	Rates of Duty		Part II Ref.	Ref. No.	Effective	
		Normal	Pref.			From	To
A 2106.90.99	Spray dried food powders of the following kinds: DP topping bases, BV batter stabilizers, Vana fat bases, fat concentrates and fat filled milk powders, Aerion Foam	Free	Free	99	303018A	8/10	..
A 3402.11.00	Hostapur organic surface active agents	Free	Free	99	303020C	8/10	..
A 3402.19.00	Empigen CDR60 surfactant	Free	Free	99	303014J	8/10	..
A 3402.19.00	Tersperse polymeric surfactants	Free	Free	99	303013L	8/10	..
A 3921.19.09)	Man-made fabrics laminated with either expanded Polytetrafluoroethylene (ePTFE)	Free	Free	99	303006H	6/10	..
A 5903.90.09)	membrane or Polytetrafluoroethylene (PTFE) membrane						
A 6303.12.00	Curtains, polyester net	Free	Free	99	303017C	7/10	..

**SECOND SCHEDULE**  
Concession Approvals Subject to Prescribed Purposes and Conditions

Tariff Item	Description of Goods	Rates of Duty		Part II Ref.	Ref. No.	Effective	
		Normal	Pref.			From	To
IM 5112.11.08	100% wool – 1021m <sup>2</sup>	Free	Free	99	303044L	9/10	5/11
5112.11.08	100% wool – 998m <sup>2</sup>						
5112.11.08	100% wool – 600m <sup>2</sup>						
5112.11.08	100% wool – 425m <sup>2</sup>						
5112.11.08	100% wool – 415m <sup>2</sup>						
5112.11.08	100% wool – 408m <sup>2</sup>						
5112.11.08	100% wool – 301m <sup>2</sup>						
5112.11.08	100% wool – 200m <sup>2</sup>						
5112.11.08	100% wool – 200m <sup>2</sup>						
5112.11.08	100% wool – 200m <sup>2</sup>						
IM 60.04)	PB9416 Kitten 65% polyester, 35% viscose – 25,000m <sup>2</sup>	Free	Free	99	303023H	8/10	7/11
60.05)	PB9505 Zumba 100% nylon – 25,000m <sup>2</sup>						
60.06)	PB9506 Castaway 40% cotton, 40% modal, 20% nylon – 25,000m <sup>2</sup>						
	PF9602 Gypsy Moth 100% modal – 25,000m <sup>2</sup>						
	PF9601 Crows Feet 100% modal – 25,000m <sup>2</sup>						
	PF9576 Ink Well 100% polyester – 25,000m <sup>2</sup>						
	PF9575 Venice Beach 60% cotton, 40% polyester – 25,000m <sup>2</sup>						
	PB9574 Key Hole 100% polyester – 25,000m <sup>2</sup>						
	PF9558 San Pellegrino 100% polyester – 25,000m <sup>2</sup>						
	PF9557 True Blood 100% polyester – 25,000m <sup>2</sup>						
IM 60.04)	PF9556 Silk Flowers 100% polyester – 25,000 m <sup>2</sup>	Free	Free	99	303024F	8/10	7/11
60.05)	PF9553 Shaddow Puppet 55% cotton, 45% polyester – 25,000m <sup>2</sup>						
60.06)	PF9548 Surfers paradise 55% cotton, 45% polyester – 25,000m <sup>2</sup>						
	PB9656 Cloud Cover 60% cotton, 40% polyester – 25,000m <sup>2</sup>						
	PB9657 Tumbleweed 50% cotton, 50% polyester – 25,000m <sup>2</sup>						
	PB9663 Sea Shanty 60% cotton, 40% polyester – 25,000m <sup>2</sup>						
	PB9664 Schooner 60% cotton, 40% polyester – 25,000m <sup>2</sup>						
	PF9636 Living Fossil 60% cotton, 40% polyester – 25,000m <sup>2</sup>						
	PB4290 Silly Putty 100% modal – 25,000m <sup>2</sup>						
	PB2092 Jumper 80% viscose, 20% wool – 25,000m <sup>2</sup>						
IM 60.04)	PB9324 Whippet 60% viscose, 40% wool – 25,000m <sup>2</sup>	Free	Free	99	303022K	8/10	7/11
60.05)	PF9364 Scrap Heap 65% cotton, 35% polyester – 25,000m <sup>2</sup>						
60.06)	PB9375 Rick Shaw 70% viscose, 30% polyester – 25,000m <sup>2</sup>						
	PB9391 Rip Shit & Bust 50% polyester, 50% viscose – 25,000m <sup>2</sup>						
	PF9405 Street Chant 55% cotton, 45% polyester – 25,000m <sup>2</sup>						
	PB9402 Chalet 90% acrylic, 10% wool – 25,000m <sup>2</sup>						
	PF9406 Drab Doo Riffs 55% cotton, 45% polyester – 25,000m <sup>2</sup>						
	PF9407 Haunted garden 85% acrylic, 15% wool – 25,000m <sup>2</sup>						
	PF9412 Annie Oakley 85% acrylic, 15% wool – 25,000m <sup>2</sup>						
	PB9411 Jack Knife 50% viscose, 50% polyester – 25,000m <sup>2</sup>						

Tariff Concession Approvals, Withdrawals and Declines Notice No. 2010/35 – *continued*

**THIRD SCHEDULE**  
Concession Approvals Withdrawn

Tariff Item	Description of Goods	Rates of Duty		Part II Ref.	Ref. No.	Effective	
		Normal	Pref.			From	To
3402.11.00	Hostapur OSB	..	..	..	700991H	..	..
3402.11.00	Hostapur SAS 93	..	..	..	104044J	..	..

Category of Approval:	A	–	General Approval
	CE	–	Capital Equipment
	GT	–	Goods in Transit
	IM	–	Inputs to Manufacturing – Inability to Supply
	MS	–	Manufacturers' Samples
	RUC	–	Revocation of Unused Concession
	S	–	Shortfall of Other Than Manufacturing Inputs
	SMI	–	Shortfall of Manufacturing Inputs
	SS	–	Special Situation
	V	–	Variation of Existing Concession
	X	–	Administrative Amendment

The concessions approved subject to prescribed purposes and conditions as listed in the Second Schedule to this notice will not be published in the Consolidated List of Approvals.

Dated at Wellington this 30th day of September 2010.

V.A. MANKS, Ministry of Economic Development.

Extract from *New Zealand Gazette*, 30 September 2010, No. 134, page 3386

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## Customs

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### Customs and Excise Act 1996

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#### Customs (Applications for Customs Rulings) Amendment Rules 2010

Pursuant to sections 288(1)(h) and 288(12) of the Customs and Excise Act 1996, the chief executive hereby makes the following amendments to the Customs (Applications for Customs Rulings) Rules 1997.

1. **Title**—(1) These rules are the Customs (Applications for Customs Rulings) Amendment Rules 2010.  
(2) In these rules, the Customs (Applications for Customs Rulings) Rules 1997\* are called “the principal rules”.  
(\*CR 1H/1997)
2. **Commencement**—These rules shall come into force on the 28th day after the date of their publication in the *New Zealand Gazette*.
3. **Schedule amended**—The Schedule of the principal rules is amended by revoking form C7, form C7A and form C7B, and substituting form C7, form C7A and form C7B set out in the Schedule of these rules.
4. **Rules to continue in force**—Except to the extent amended by these rules, the principal rules shall remain in force.
5. **Status of rules**—These rules are regulations for the purposes of the Regulations (Disallowance) Act 1989.



FORM C7 | SECT 119 | AUGUST 2010

## APPLICATION FOR A CUSTOMS RULING

### (Classification or Duty Concession)

**For Official Use**

Date of Receipt: .....

Application Number: .....

Date Accepted: .....

**APPLICANT'S DETAILS**

Applicant: ..... Client Code: .....

Applicant's Address: .....

Address for correspondence (if different from above): .....

Agent (where applicable): .....

Contact Person: ..... Telephone: .....

E-mail Address: ..... Facsimile: .....

Indicate which type  
of ruling sought:Tariff  
Classification
☐
Excise  
Classification
☐

Concession

☐
**APPLICATION DETAILS****For All Rulings**

Full description of the particular goods:

.....

.....

.....

Composition of the goods: .....

Use of the goods: .....

**For Tariff Classification/Concession Rulings only**

In what form are the goods imported: .....

Port(s) where the goods will be landed: .....

**For Excise Classification Rulings only**

Part I Tariff Classification (if known): ..... Alcohol Content (if applicable): ..... %

Name and address of Manufacturer/Place of Manufacture:

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**APPLICANT'S OPINION**

Tariff/Excise Classification: ..... Concession Reference: .....

Comment(s)/Reason(s)/Concession Description and Tariff item under which Concession is listed\*:

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*\*Additional comments may be provided on a separate sheet, signed and dated and attached to this form*

**APPLICANT'S SIGNATURE**

Signed: .....

Dated: .....

(See notes on reverse)

## NOTES

### General

1. A single application can be made for both a Tariff classification and Concession Ruling on the same particular goods. However, see note 10 below. A separate application is, however, required for each separate item.
2. An application for a Ruling must be legible and complete in all material detail. Where appropriate an application should be supported by illustrations or other adequate identification (e.g., commercial, trade and/or technical literature or chemical formulae). Supporting documentation may be provided directly by the manufacturer or supplier. Applications that are **incomplete or not supported by sufficient information** in respect of the goods for which a Ruling is sought, **or not accompanied by the prescribed fee, will not be progressed until that information/fee is provided.**
3. **The Chief Executive may, at any time, request information from the applicant if it is considered that such information is relevant to the proper consideration of the application.**
4. **The application must be accompanied by the goods or a sample of the goods.** If this presents a difficulty please discuss with the National Tariff Advisory Unit (NTAU) before lodging your application (samples submitted will be retained by the NTAU until after the expiry date of any appeal rights).
5. Please advise if any of the information supplied should not be made public and, if so, provide reasons for this.
6. At any time after a Ruling is made, the applicant may be required to satisfy the Chief Executive that the facts or information on which the Customs Ruling was made remain correct and, where applicable, that any conditions on which the Ruling was made have been complied with.
7. The giving of a Tariff classification or Concession Ruling by the New Zealand Customs Service does not constitute a decision on whether or not the goods may be a prohibited import. It is the responsibility of the importer to ensure that no prohibition exists for the particular goods on which a Ruling is given.
8. A Ruling ceases to have effect after the expiry of three years from the date of notice of the Ruling, or any amendment to that Ruling. The applicant should take particular note of the matters stated in section 125 of the Customs and Excise Act 1996, which could cause a Ruling to cease to have effect.
9. An application may be lodged at any Customs Office. However, applicants are encouraged to lodge their application directly with the National Tariff Advisory Unit at the following address:

**New Zealand Customs Service  
National Tariff Advisory Unit  
PO Box 29  
Shortland Street  
AUCKLAND 1140**

### Fee for a Customs Ruling

10. The fee for each type of Customs Ruling, i.e. Tariff classification or Excise classification or Concession, is **\$40.88** (GST inclusive) in relation to each particular good and must accompany the application on lodgement. **Please make your cheque payable to 'New Zealand Customs Service'.**

### Appeal Rights

11. An applicant who is dissatisfied with a Customs Ruling, a decision to decline to make a Ruling, or a decision to amend a Ruling may, **within 20 working days** after the date on which notice of the Ruling or decision is given, file a Notice of Appeal in the prescribed form with: The Registrar, Customs Appeal Authority, Tribunals Unit, Ministry of Justice, Box 32001, Panama Street, WELLINGTON 6146.



FORM C7A | SECT 119(1)(C) | AUGUST 2010

**APPLICATION FOR A CUSTOMS RULING  
(COUNTRY OF PRODUCE OR MANUFACTURE)**  
(Under section 119(1)(c) of the Customs and Excise Act 1996)

**For Official Use**

Date of Receipt: .....

Application Number: .....

Date Accepted: .....

**APPLICANT'S DETAILS**

Applicant: ..... Client Code: .....

Applicant's Address: .....

Agent (where applicable): .....

Agent's Address: .....

Contact Person: ..... Telephone: .....

E-mail Address: ..... Facsimile: .....

**Describe the particular goods that are the subject of the application**

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**Provide details of the manufacturer of the goods (including name, address, phone number)**

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**The country or country group relating to the application**

Country or Country Group	Tick appropriate box	Country or Country Group	Tick appropriate box
Australia (ANZCERTA)	<input type="checkbox"/>	Canada	<input type="checkbox"/>
China (NZCFTA)	<input type="checkbox"/>	Malaysia (MNZFTA)	<input type="checkbox"/>
Singapore (ANZSCEP)	<input type="checkbox"/>	Thailand (NZTCEPA)	<input type="checkbox"/>
United Kingdom of Great Britain and Northern Ireland, the Isle of Man, and the Channel Islands	<input type="checkbox"/>	Hong Kong, China	<input type="checkbox"/>
ASEAN (AANZFTA)	<input type="checkbox"/>	Specific country: .....	
Forum Island Countries (SPARTECA)	<input type="checkbox"/>	Specific country: .....	
Least Developed Countries (LLDC)	<input type="checkbox"/>	Specific country: .....	
Less Developed Countries (LDC)	<input type="checkbox"/>	Specific country: .....	
Trans-Pacific SEP (TPA)	<input type="checkbox"/>	Specific country: .....	
Other:	<input type="checkbox"/>	Specific country: .....	

(specify trade agreement): .....

**Specify origin category relating to the application**

Origin category	Tick appropriate box
Goods wholly obtained or produced	<input type="checkbox"/>
Goods entirely produced (exclusively from originating materials)	<input type="checkbox"/>
Goods wholly manufactured	<input type="checkbox"/>
Goods partly manufactured	<input type="checkbox"/>
Product specific rule (PSR) requirement:	<input type="checkbox"/>

(specify HS code, and specific PSR requirement): .....

**Applicant's opinion as to what the ruling should be\***

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.....

.....

.....

.....

.....

(\*additional comments may be provided on a separate sheet, signed and attached to this application)

**APPLICANT'S SIGNATURE**

Signed:

Dated: .....

**General Notes**

1. Information is required to be provided as well as supporting documentation to establish that the goods for which a Ruling is sought meet the particular rules of origin criteria as set out in the Customs and Excise Regulations 1996. This requires the establishment of the correct origin category under which the goods fall, as well as the necessary details to clearly prove that the goods meet the particular rule of origin.
2. A separate application is required for each good on which a Ruling is sought.
3. An application for a Ruling must be legible and complete in all material detail. Where appropriate, applications should be supported by sufficient information. Supporting information and documentation may be provided directly by the manufacturer (if this is a different person from the applicant), or by other parties as required in order to establish that the goods meet the rule of origin.
4. Applications that are **incomplete or not supported by sufficient information** in respect of the goods for which a Ruling is sought, **or not accompanied by the prescribed fee, will not be progressed until the information/fee is provided.**
5. **The Chief Executive may, at any time, request information from the applicant if it is considered that such information is relevant to the proper consideration of the application.**
6. The making of a Ruling by the New Zealand Customs Service does not constitute a decision on whether or not the goods may be a prohibited import. It is the responsibility of the importer to ensure that no import prohibition exists for the particular goods on which a Ruling is given.
7. At any time after a Ruling is made, the applicant may be required to satisfy the Chief Executive that the facts and information on which the Customs Ruling was made remain correct and, where applicable, that any conditions on which the Ruling was made have been complied with.
8. The applicant should take particular note of the matters stated in section 125 of the Customs and Excise Act 1996, which could cause a ruling to cease to have effect.
9. **Fee for a Customs Ruling:** The fee for each type of Customs Ruling is NZ **\$40.88** (GST incl.) in relation to each particular good, and must accompany the application on lodgement.
10. **Where to lodge the application: Applications are to be lodged with the New Zealand Customs Service at the following address:**  
  

**New Zealand Customs Service**  
**National Tariff Advisory Unit**  
**PO Box 29**  
**Shortland Street**  
**AUCKLAND 1140**
11. **Further enquiries:** Further enquiries on any matter relating to an application can be made to the National Tariff Advisory Unit using the contact address in Note 10.
12. An applicant who is dissatisfied with a Customs Ruling, a decision to decline to make a Ruling, or a decision to amend a Ruling may, **within 20 working days** after the date on which notice of the Ruling or decision is given, file a Notice of Appeal in the prescribed form with: The Registrar, Customs Appeal Authority, Tribunals Unit, Ministry of Justice, Box 32001, Panama Street, WELLINGTON 6146.



FORM C7B | SECT 119(3) | AUGUST 2010

**APPLICATION FOR A CUSTOMS RULING  
(CORRECT APPLICATION OF REGULATIONS)**  
(Under section 119(3) of the Customs and Excise Act 1996)

**For Official Use**

Date of Receipt: .....

Application Number: .....

Date Accepted: .....

**APPLICANT'S DETAILS**

Applicant: ..... Client Code: .....

Applicant's Address: .....

Agent (where applicable): .....

Agent's Address: .....

Contact Person: ..... Telephone: .....

E-mail Address: ..... Facsimile: .....

Please specify here the particular matter upon which the Customs Ruling is sought  
particular regulation to be specified here (.....)

**Provide full and complete information relevant to a ruling on the matter specified\***

(\*additional comments may be provided on a separate sheet, signed and attached to this application)

**APPLICANT'S SIGNATURE**

Signed: .....

Dated: .....

**NOTES****General**

1. It is important that all the information that is relevant for a proper consideration of the application is provided. Depending on the nature of the application information that may be required could be one or more of the following: manufacturing processes, diagrams, flow charts, technical data, information from the manufacturer if this is different from the applicant, information from the supplier of materials to the manufacturer.
2. A separate application is required for each particular matter on which a Ruling is sought.
3. An application for a Ruling must be legible and complete in all material detail and be supported by sufficient information. Supporting information and documentation may be provided directly by the manufacturer (if this is a different person from the applicant), or by other parties as required in order to establish the facts relating to the application.
4. Applications that are **incomplete or not supported by sufficient information** on the matter for which a Ruling is sought, **or not accompanied by the prescribed fee, will not be progressed until the information/fee is provided.**
5. **The Chief Executive may, at any time, request information from the applicant if it is considered that such information is relevant to the proper consideration of the application.**
6. The applicant should take particular note of the matters stated in section 125 of the Customs and Excise Act 1996, which could cause a Ruling to cease to have effect.
7. **Fee for a Customs Ruling:** The fee for each type of Customs Ruling is NZ **\$40.88** (GST incl.) in relation to each particular matter and must accompany the application on lodgement.
8. **Where to lodge the application: Applications are to be lodged with the New Zealand Customs Service at the following address:**  
  

**New Zealand Customs Service  
National Tariff Advisory Unit  
PO Box 29  
Shortland Street  
AUCKLAND 1140**
9. **Further enquiries:** Further enquiries on any matter relating to an application can be made to the National Tariff Advisory Unit using the contact address in Note 8.
10. An applicant who is dissatisfied with a Customs Ruling, a decision to decline to make a Ruling, or a decision to amend a Ruling may, **within 20 working days** after the date on which notice of the Ruling or decision is given, file a Notice of Appeal in the prescribed form with: The Registrar, Customs Appeal Authority, Tribunals Unit, Ministry of Justice, Box 32001, Panama Street, WELLINGTON 6146.

Dated at Wellington this 23rd day of September 2010.

MARTYN DUNNE, Chief Executive.

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**Notice under section 288(7) of the Customs and Excise Act 1996**

Copies of these rules are available for inspection on the Customs Service website ([www.customs.govt.nz](http://www.customs.govt.nz)) or at any of the following Customs offices:

Auckland	The Customhouse, 50 Anzac Avenue, Auckland City.
Christchurch	The Customhouse, 6 Orchard Road, Christchurch Airport.
Dunedin	The Customhouse, 32 Portsmouth Drive.
Wellington	The Customhouse, 1 Hinemoa Street, Harbour Quays.

Copies of these rules may be purchased from the New Zealand Customs Service, Private Bag 1928, Dunedin.

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