

## **NEW ZEALAND CUSTOMS SERVICE**

### **CUSTOMS AND EXCISE ACT 1996**

#### **CUSTOMS (APPLICATION FOR CUSTOMS CONTROLLED AREA LICENCES) AMENDMENT RULES 2016**

PURSUANT to Section 288(1)(aaa) and 288(12) of the Customs and Excise Act 1996, the chief executive hereby makes the following rules prescribing the form and manner for the making of applications for Customs controlled area licences.

#### **RULES**

##### **1. Title, Commencement, Application and Purpose**

- (1) These rules may be cited as the Customs (Application for Customs Controlled Area Licences Amendment Application) Rules 2016.
- (2) These rules shall come into force on 1 February 2017.
- (3) These rules shall apply for the purposes of updating certain terminology to align with recent legislative and policy changes and to correct an error.

##### **2. Interpretation**

In these rules, unless the context otherwise requires:

- (a) The term "the Act" means the Customs and Excise Act 1996.
- (b) Any terms used in these rules which are defined in Section 2 of the Act shall have the meanings given to them by that section.
- (c) The term "the Regulations" means the Customs and Excise Regulations 1996
- (d) The term "the Principal Rules" means the Customs (Application for Customs Controlled Area Licences) Rules 2014.

##### **3. Schedule Amendment**

The Schedule to the Principal Rules is amended by revoking form 1 and substituting form 1 set out in the schedule of these Rules.

##### **4. Rules to Continue in Force**

Rules to continue in force except to the extent they are amended by these Rules.

Dated at Wellington this 14 day of December 2016.



Carolyn Tremain  
Chief Executive

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**Notice Under Section 288(7) of the Act.**

Copies of these rules are available for inspection on the Customs Service website at <http://www.customs.govt.nz/news/resources/legal/Pages/default.aspx> or at any of the following Customs Offices:

Auckland	–	The Customhouse 50 Anzac Avenue, Auckland Central, Auckland 1010
Wellington	–	The Customhouse 1 Hinemoa Street, Harbour Quays, Wellington
Christchurch	–	The Customhouse 6 Orchard Road, Christchurch Airport, Christchurch 8053
Dunedin	–	The Customhouse 32 Portsmouth Drive, South Dunedin, Dunedin 9012

Copies of these rules may be purchased from the New Zealand Customs Service, Private Bag 1928, Dunedin 9054.

## SCHEDULE 1

FORM 1

Application for Customs controlled area licence

### Section 11, Customs and Excise Act 1996

To the New Zealand Customs Service at (nearest Customs port):.....

1 **Name of applicant:**.....  
(Full registered company name or partnership/sole trader/trust names to be shown)

Trading as (where applicable) .. .. .

2 **Full name and address of each company director/partner/trustees** (if applicable):  
.....  
.....  
.....

3 **Application is hereby made for a Customs controlled area licence for the purposes of:**

Note: Delete the categories in (a) to (g) that are not appropriate. Customs should be consulted if you are unsure which purpose is appropriate.

- (a) The manufacture of goods specified in Part A of the Excise and Excise-equivalent Duties Table. (*manufacturing area*)
- (b) The deposit, keeping, or securing of imported or excisable goods, without payment of duty on the goods, pending the export of those goods. (*export warehouse*)
- (c) The temporary holding of imported goods for the purposes of the examination of those goods under section 151 of the Customs and Excise Act 1996 (including the holding of the goods while they are awaiting examination). (*general goods*)
- (d) The disembarkation, embarkation, or processing of persons arriving in or departing from New Zealand.
- (e) The processing of craft arriving in or departing from New Zealand or the loading or unloading of goods onto or from such craft.
- (f) The storage, by or for one of the following, of alcohol manufactured in New Zealand, where that alcohol cannot be physically accommodated within the manufacturing area in which it was manufactured: (*off-site storage area*)
  - (i) the manufacturer of the alcohol
  - (ii) the first owner of the alcohol, if that person is not also the manufacturer of the alcohol.
- (g) The storage of imported goods, or goods manufactured in a manufacturing area, of a kind that are subject to duty, and on which such duty has not been paid, pending the sale of those goods to –
  - (i) persons departing to or arriving from a country outside New Zealand (*duty-free shop*) or
  - (ii) persons exercising an entitlement to the supply of goods free of duty under the Customs and Excise Act 1996, or any other Act.

4 **Address of principal place of business of applicant:**  
.....  
.....  
PO Box number: .....  
Contact numbers: .....  
Email address: .....

5 **Address of other places at which the applicant carries on, or proposes to carry on business** (indicate the nature of the business at each place):  
.....  
.....  
.....

6 **Legal description of the area to be licensed** (eg, Lot and DP number):  
.....  
.....

**7 Activity to be undertaken in the area to be licensed**

.....

.....

.....

**8 What security measures are in place at the area to be licensed? (eg, alarms, cameras etc)**

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.....

.....

**9 If excisable goods are to be manufactured or stored in the area to be licensed, please list:**  
(eg, wine, beer, spirits, fuel, tobacco)

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.....

**10 Names and position held of key contact personnel of the applicant**

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**Declaration**

I hereby declare that the particulars contained in this application are true and correct.

Signature of applicant: ..... Date: ..... / ..... / .....

Full name of signatory: .....

Designation of signatory: .....

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**General information**

- (a) This application should be accompanied by the following:
- (i) a letter supporting the application
  - (ii) a site plan
  - (iii) a copy of the Certificate of Incorporation of the company
  - (iv) photo ID of persons listed under section 2
- (b) An annual licence fee is payable in accordance with the scale set out in the First Schedule to the Customs and Excise Regulations 1996.
- (c) A security may be required as a condition of the licence.
- (d) Further information may be required as set out in the Customs and Excise Act 1996, Section 11(2).

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**Privacy Act 1993**

The personal information on this form will be used as part of the assessment of the licence application and may be input into a New Zealand Customs Service database.

The Privacy Act 1993 provides rights of access to and correction of personal information. You may gain access to and correct this information through any office of the New Zealand Customs Service.