



NEW ZEALAND **CUSTOMS SERVICE** TE MANA ĀRAI O AOTEAROA

Disclaimer:

This document is a consolidated version of the Customs (Certificates of Clearance) Rules 2004 produced by the New Zealand Customs Service as a reference document only. It has been compiled from the official rules that were made by the Comptroller of Customs. Copies of the official rules and amendment rules were notified in the NZ Gazette and are available on the New Zealand Customs Service website.

Customs (Certificates of Clearance) Rules 2004 (as amended)

PURSUANT to section 288(1)(c) and (12) of the Customs and Excise Act 1996 the Chief Executive hereby makes the rules prescribing the forms of certificates of clearance for craft and revokes the Customs (Certificate of Clearance) Rules 1996 and amendments made thereto.

RULES

1. Title and Application

- (1) These rules are the Customs (Certificates of Clearance) Rules 2004.
- (2) These rules shall apply for the purpose of prescribing the forms of the certificates of clearance in respect of every departing craft that has, as its destination, a point outside New Zealand.
- (3) These rules revoke the Customs (Certificate of Clearance) Rules 1996 and amendments made thereto.

2. Commencement

These rules come into force on 1 December 2004.

3. Interpretation

- (1) In these rules, unless the context otherwise requires:
"The Act" means the Customs and Excise Act 1996.

"Comptroller" means the Comptroller of Customs who is the Chief Executive of the New Zealand Customs Service.

"Prescribed form" of "form" means a form (including, if any, an electronic message format) prescribed by the Comptroller and set out in the Schedule to these rules; and a reference to a numbered form is a reference to the form so prescribed and numbered.

"The regulations" means the Customs and Excise Regulations 1996.

"Small craft" means any ship or boat not used for hire or reward (for example privately owned and operated yachts and launches)

"Trade Single Window" means a computer system that forms part of the JBMS.

- (2) Unless otherwise defined in these rules, any terms used in these rules and which are defined in the Act shall have the meanings given to them in the Act.

4. Form of Certificates of Clearance

Every certificate of clearance issued under section 33(1) of the Act must be –

- (a) In Form C3 for ships or boats (other than small craft);
- (b) In Form C3A for aircraft;
- (c) In Form C3B for small craft;
- (d) In Form C3C for ships or boats (other than small craft) following the delivery of an advance notice of departure to Customs via the Trade Single Window.

5. Notes

Where a prescribed form contains any explanatory or other notes such notes do not form part of the prescription but are intended for the guidance of the person required to provide information for the completion of the prescribed form.

6. Revocation

The following rules are hereby revoked:

- (a) Customs (Certificate of Clearance) Rules 1996¹.
- (b) Customs (Certificate of Clearance) Amendment Rules (No.1) 2002².

7. Status of Rules

These rules are deemed to be regulations for the purposes of the Regulations (Disallowance) Act 1989.

¹ CR 1C/1996

² CR 1C/2002

SCHEDULE

Rule 4(a)

Form C3

Refer to Customs (Certificates of Clearance) Rules 2004.

1D97/3.0

Rule 4(b)

Form C3A

Refer to Customs (Certificates of Clearance) Rules 2004.

Rule 4(c)

Form C3B

Refer to Customs (Certificates of Clearance) Rules 2004.

1D97/3.0

Rule 4(d)

Form C3C

Refer to Customs (Certificates of Clearance) Amendment Rules 2017.

Dated at Wellington this 25th day of October 2004.

Martyn Dunne
Comptroller of Customs.

History of the Customs (Certificates of Clearance) Rules 2004 (the 'Principal Rules')

These rules came into force on 1 December 2004.

This consolidation incorporates:

| Amendment | Entry into force | Summary of changes to the Principal Rules |
|--|-------------------------|--|
| Customs (Certificates of Clearance) Amendment Rules 2017 | 30 November 2017 | The addition of new definitions and the addition of Form C3C for ships or boats (other than small craft) following the delivery of an advance notice of departure Customs via the Trade Single Window (TSW). |