

NEW ZEALAND CUSTOMS SERVICE

CUSTOMS AND EXCISE ACT 1996

**CUSTOMS (APPLICATIONS FOR CUSTOMS RULINGS) AMENDMENT
RULES 2000**

PURSUANT to Section 288(1)(h) and (12) of the Customs and Excise Act 1996, the Chief Executive hereby makes the rules prescribing the forms for the making of applications for Customs rulings and amends the Customs (Applications for Customs Rulings) Rules 1997.

RULES

1 Title, Commencement –

- (1) These rules are the Customs (Applications for Customs Rulings) Amendment Rules 2000.
- (2) In these rules, the Customs (Applications for Customs Rulings) 1997* are called "the principal rules".
- (3) These rules come into force on the 28th day after the date of their publication in the *New Zealand Gazette*. (*CR 1H/1997)

2 Schedule amended –

- (1) the Schedule of the principal rules is amended by revoking form C7A and form C7B, and substituting form C7A and form C7B set out in the Schedule of these rules.
 - (2) Except to the extent amended by subrule (1) the principal rules shall remain in force.
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SCHEDULE

Form C7A



Te Mana Arai o Aotearoa

APPLICATION FOR A CUSTOMS RULING (COUNTRY OF PRODUCE OR MANUFACTURE)

(Under S119 (1)(c) of the Customs and Excise Act 1996)

For Official Use:
Date of receipt:
Application No.:
Date accepted:

APPLICANT'S DETAILS

Applicant:

Applicant's Address:

Agent (if applicable):

Agent's Address:

Contact Person:

Phone Number: Fax Number:

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) If This Is A Different Person From The Applicant

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The Country Or Country Group Relating To The Application

Country or Country Group	<i>Tick appropriate box</i>
Australia	<input type="checkbox"/>
Canada	<input type="checkbox"/>
Malaysia	<input type="checkbox"/>
Singapore	<input type="checkbox"/>
United Kingdom of Great Britain and Northern Ireland, the Isle of Man, and the Channel Islands	<input type="checkbox"/> Specific Country:
Developing Countries (LDC & LLDC)	<input type="checkbox"/> Specific Country:
Forum Island Countries (SPARTECA)	<input type="checkbox"/> Specific Country:

Specify Origin Category Relating To The Application

Origin Category	<i>Tick appropriate box</i>
Unmanufactured raw products/goods wholly obtained/goods wholly produced/goods wholly produced or obtained (<i>delete categories not applicable</i>)	<input type="checkbox"/>
Goods wholly manufactured	<input type="checkbox"/>
Goods partly manufactured	<input type="checkbox"/>

Applicant's Opinion As To What The Customs Ruling Should Be*

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

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 Act 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 **\$40.00** (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:**

**National Tariff Advisory Unit
New Zealand Customs Service
Box 2218
Wellington
New Zealand
Phone: 0-4-473 6099
Fax: 0-4-473 7370**
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, or 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 Division, Department for Courts, Box 5027, WELLINGTON.



Tē Mana Arai o Aotearoa

**APPLICATION FOR A CUSTOMS RULING
(CORRECT APPLICATION OF REGULATIONS)**

(Under S119 (3) of the Customs and Excise Act 1996)

Form C7B

For Office Use:
Date of receipt:
Application No.:
Date accepted:

APPLICANT'S DETAILS

Applicant:

Applicant's Address:

Agent (if applicable):

Agent's Address:

Contact Person:

Phone Number: Fax Number:

The Country Or Country Group Relating To The Application

Country or Country Group	Tick appropriate box
Australia	<input type="checkbox"/>
Canada	<input type="checkbox"/>
Malaysia	<input type="checkbox"/>
United Kingdom of Great Britain and Northern Ireland, the Isle of Man, and the Channel Islands	<input type="checkbox"/> Specific Country:
Developing Countries (LDC & LLDC)	<input type="checkbox"/> Specific Country:
Forum Island Countries (SPARTECA)	<input type="checkbox"/> Specific Country:

Specify Origin Category Relating To The Application

Origin Category	Tick appropriate box
Unmanufactured raw products/goods wholly obtained/goods wholly produced (<i>delete categories not applicable</i>)	<input type="checkbox"/>
Goods wholly manufactured	<input type="checkbox"/>
Goods partly manufactured (50 percent [%] Rule)	<input type="checkbox"/>

Please Specify Here The Particular Matter Upon Which The Customs Ruling is Sought

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Provide Full And Complete Information Relevant To A Ruling On The Matter Specified.

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

Signed: Dated:

General notes

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 Act 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 \$40.00 (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:**

**National Tariff Advisory Unit
New Zealand Customs Service
Box 2218
Wellington
New Zealand
Phone: 0-4-473 6099
Fax: 0-4-473 7370**

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, or a decision to decline 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 Division, Department for Courts, Box 5027, WELLINGTON.

Dated at Wellington this 18th day of December 2000

Robin Dare
Chief Executive

Notice under section 288(7) of the Act.

Copies of these rules are available for inspection free of charge in:

- Auckland - The Customhouse
50 Anzac Ave,
Auckland City
- Christchurch - The Customhouse
Drury Street,
Christchurch Airport
- Dunedin - The Customhouse
470 Moray Place
- Wellington - The Customhouse
17-21 Whitmore Street

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