

New Zealand.

ANALYSIS.

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Appendix.

1932, No. 10.

AN ACT to ratify an Agreement for Customs Reciprocity made between the Governments of the Dominion of Canada and the Dominion of New Zealand.

Title.

[10th May, 1932.]

WHEREAS a Customs agreement has been entered into for and on behalf of His Majesty's Government of the Dominion of Canada and for and on behalf of His Majesty's Government of the Dominion of New Zealand, for the purpose of promoting trade between the said Dominions: And whereas the said agreement is an agreement to which section ten of the Customs Amendment Act, 1921, applies: And whereas by the said section it is provided that no such agreement shall have any effect unless and until it is ratified by Parliament: And whereas it is desired to ratify the said agreement accordingly:

Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Trade Agreement (New Zealand and Canada) Ratification Act, 1932, and

Short Title.

shall be read together with and deemed part of the Customs Act, 1913.

Ratification of agreement.

2. (1) The agreement set out in the Appendix hereto (being an agreement to which section ten of the Customs Amendment Act, 1921, applies) is hereby ratified and confirmed. The ratification by this section of the said agreement shall extend to the alterations of the New Zealand General Tariff referred to in Schedule B to the said agreement, and such alterations shall take effect accordingly on the date fixed pursuant to Article X of the agreement.

(2) Notwithstanding anything to the contrary in section ten of the Customs Amendment Act, 1921, any agreement modifying the agreement as ratified by this Act may be given effect to by Order in Council under that Act, notwithstanding that such modifying agreement may not have been ratified as required by that section, and every such Order in Council shall come into force according to its tenor.

Commencement of operation of agreement with respect to goods being the produce or manufacture of Canada.

3. The date on which the agreement ratified by this Act is brought into force in accordance with Article X thereof shall be notified by the Governor-General by Proclamation, and the duties and exemptions from duty provided for in Schedule B to that agreement shall, subject to the provisions of section one hundred and forty-three of the Customs Act, 1913, be imposed and allowed on all goods, being the produce or manufacture of the Dominion of Canada, imported into New Zealand or entered therein for home consumption on or after the said date.

Appendix.

APPENDIX.

TRADE AGREEMENT BETWEEN CANADA AND NEW ZEALAND.

HIS Majesty's Government in the Dominion of Canada and His Majesty's Government in the Dominion of New Zealand, being desirous of improving and extending the commercial relations existing between Canada and New Zealand, and affirming the principle of

granting Tariff preferences the one to the other on goods of their produce or manufacture, for their mutual advantage, have agreed upon the following Articles:—

ARTICLE I.

Subject to the provisions of the Customs Tariff of Canada, except as hereinafter provided, Canada grants:—

1. (a) To the goods enumerated in Schedule A hereto, being the produce or manufacture of New Zealand, when imported into Canada, the Tariff rates indicated in the said Schedule A: Provided that such rates shall in no case be higher than the rates chargeable on similar goods under the British Preferential Tariff of Canada.

(b) To all other goods being the produce or manufacture of New Zealand, when imported into Canada, the benefits of the British Preferential Tariff.

2. The Tariff advantages conceded by section 1 of this Article shall apply only to goods imported direct into Canada, except in special cases where goods are shipped from New Zealand to Canada on a through bill of lading and the New Zealand Government certifies that direct shipment to Canada of such goods is not reasonably practicable.

3. Goods shall be deemed to be the produce or manufacture of New Zealand if they comply with the laws, regulations, and conditions for the time being in force in Canada for the application of its British Preferential Tariff.

ARTICLE II.

Subject to the provisions of the Customs Acts of New Zealand, except as hereinafter provided, New Zealand grants:—

1. (a) To the goods enumerated in Schedule B hereto, being the produce or manufacture of Canada, when imported into New Zealand, the Tariff rates indicated in the said Schedule B: Provided that, except where otherwise indicated in that Schedule, such rates shall in no case be higher than the rates chargeable on similar goods under the British Preferential Tariff of New Zealand.

(b) To all other goods the produce or manufacture of Canada, when imported into New Zealand, the benefits of the British Preferential Tariff.

2. The Tariff advantages conceded by section 1 of this Article shall apply only to goods which after shipment from Canada have not entered into the commerce of or been subjected to any process of manufacture in any country the produce or manufactures of which are not entitled to be entered for duty under the British Preferential Tariff.

3. Goods shall be deemed to be the produce or manufacture of Canada if they comply with the laws, regulations, and conditions for the time being in force in New Zealand for the application of its British Preferential Tariff.

ARTICLE III.

1. The terms "British Preferential Tariff" and "General Tariff", as used in this agreement and the Schedules thereto, shall be deemed

to mean the British Preferential Tariff and the General Tariff of Canada or of New Zealand in force on the date on which any goods are entered for home consumption in New Zealand or Canada, as the case may be.

2. The items in Schedule A or Schedule B hereto shall be interpreted in the same way as they would be interpreted in the Tariff from which they are taken.

ARTICLE IV.

Goods entitled to entry under Article I hereof shall not be subject to section 6 of the Customs Tariff of Canada unless previous notice has been given by the Government of Canada to the Government of New Zealand that the importation of such goods would prejudicially or injuriously affect the producers or manufacturers of similar goods in Canada, and if, at the expiration of a period of thirty days from the date of such notice, remedial measures satisfactory to the Government of Canada are not put into effect by the Government of New Zealand, then the provisions of the said section 6 may be applied to such goods.

At the option of the Government of Canada any importation thus complained of, other than perishable goods, may be held in bond during the said period of thirty days.

ARTICLE V.

Goods entitled to entry under Article II hereof shall not be subject to sections 11 and 12 of the Customs Amendment Act, 1921, of New Zealand, unless previous notice has been given by the Government of New Zealand to the Government of Canada that importation of such goods would prejudicially or injuriously affect the producers or manufacturers of similar goods in New Zealand, and if, at the expiration of a period of thirty days from the date of such notice, remedial measures satisfactory to the Government of New Zealand are not put into effect by the Government of Canada, then the provisions of the said sections 11 and 12 or either of them may be applied to such goods.

At the option of the Government of New Zealand any importation thus complained of, other than perishable goods, may be held in bond during the said period of thirty days.

ARTICLE VI.

Subject to the provisions of Articles IV and V hereof, nothing in this agreement shall affect the right of either party to this agreement to impose any special duty or tax on goods imported into Canada or New Zealand, provided that, except where specially arranged between the Governments of Canada and of New Zealand, such special duty or tax does not exceed that imposed on similar goods imported from Great Britain.

ARTICLE VII.

1. With respect to the goods enumerated in Schedule A hereto, the Government of Canada shall not impose any Customs duty on any such goods admissible free of duty or increase the rate of any Customs

duty on any other such goods entering Canada from New Zealand, except by mutual agreement, until after three months' notice to the Government of New Zealand.

2. With respect to the goods enumerated in Schedule B hereto, the Government of New Zealand shall not impose any Customs duty on any such goods admissible free of duty or increase the rate of any Customs duty on any other such goods entering New Zealand from Canada, except by mutual agreement, until after three months' notice to the Government of Canada.

ARTICLE VIII.

The Government of Canada grants the benefits of this agreement to goods imported into Canada and being the produce or manufacture of the Territory of Western Samoa which is subject to a mandate conferred on His Majesty by the League of Nations, and the Government of New Zealand grants to goods imported into the said Territory of Western Samoa and being the produce or manufacture of Canada the benefits of the rates of duty for the time being applicable to goods imported from the United Kingdom.

ARTICLE IX.

The Government of Canada grants the benefits of this agreement to goods imported into Canada and being the produce or manufacture of the Cook Islands and, subject to Part XXI of the Customs Act, 1913, of New Zealand, the Government of New Zealand grants to goods imported into the Cook Islands and being the produce or manufacture of Canada the benefits of the British Preferential Tariff for the time being in force in the Cook Islands.

ARTICLE X.

This agreement shall be subject to the approval of the Parliaments of Canada and of New Zealand. Upon approval being given it shall be brought into force upon a date to be agreed upon between the Governments of Canada and of New Zealand, and shall remain in force for a period of one year.

Signed at Ottawa, Canada, this twenty-third day of April, one thousand nine hundred and thirty-two, on behalf of His Majesty's Government in the Dominion of Canada.

R. B. BENNETT.

H. H. STEVENS.

Signed at Wellington, New Zealand, this twenty-third day of April, one thousand nine hundred and thirty-two, on behalf of His Majesty's Government in the Dominion of New Zealand.

GEO. W. FORBES.

WM. DOWNIE STEWART.

SCHEDULE A.

Item No.	Tariff Items.	Tariff Rates on Goods the Produce or Manufacture of New Zealand.
7	Meats, fresh, n.o.p. :— (a) Beef and veal (b) Lamb and mutton (c) N.o.p.	3 cents per pound. 3 cents per pound. 2 cents per pound.
8	Canned meats other than kidneys and tongues; poultry or game; extracts of meat and fluid beef, not medicated	15 per cent. ad valorem.
Ex 8	Canned meats, viz. :— Kidneys and tongues	15 per cent., but not more than 3 cents per pound.
Ex 9	Rabbits, frozen	Free.
10	Meats, prepared or preserved, other than canned :— (a) Bacon, hams, shoulders and other pork (b) N.o.p.	Free. Free.
12	Sausage skins or casings, not cleaned	Free.
12A	Sausage skins or casings, cleaned	Free.
13	Lard, lard compound and similar substances; cot-tolene and animal stearine of all kinds, n.o.p.	Free.
14	Tallow	Free.
16	Eggs in the shell	Free during the months of Decem-ber, January, and February; British Preferential Tariff during the other months of the year.
16A	Eggs, whole, egg yolk or egg albumen, frozen or other-wise prepared, n.o.p., whether or not sugar or other material be added	5 cents per pound.
17	Cheese When in packages weighing 2 pounds, each, or less, the weight of such packages to be included in the weight for duty.	1 cent per pound.
18	Butter	5 cents per pound.
35	Hops	6 cents per pound.
43	Condensed milk, the weight of the package to be included in the weight for duty	2½ cents per pound.
43A	Powdered milk, the weight of the package to be included in the weight for duty	1 cent per pound.
48	Peas, n.o.p.	Free.
71A	Timothy seed	Free.
71B	Clover seed, including alfalfa seed	Free.
72B	(1) Seed peas and seed beans, from New Zealand	Free.
73	Field seeds, n.o.p., when in packages weighing more than 1 pound each	Free.
84	Onions, in their natural state, including onions grown with tops, shallots, and onion sets, the weight of the packages to be included in the weight for duty	Free.
Ex 91	Toheroa soup	Free.
92	Fruits, fresh, in their natural state, the weight of the packages to be included in the weight for duty— (c) Pears	Free during the months of Febru-ary, March, April, and May; British Preferential Tariff during the other months of the year.
93	Apples, fresh, in their natural state, the weight of the packages to be included in the weight for duty	Free.
95B	Passion fruit (<i>Passiflora edulis</i>)	Free.
104A	Fruit pulp, other than grape pulp, not sweetened, in airtight cans or other airtight packages	Free.
Ex 105	Passion fruit pulp with sugar or not	Free.

SCHEDULE A—continued.

Item No.	Tariff Items.	Tariff Rates on Goods the Produce or Manufacture of New Zealand.
106	Fruits, prepared, in airtight cans or other airtight containers, the weight of the containers to be included in the weight for duty— (a) Apricots, peaches and pears (c) N.o.p.	1 cent per pound. 1 cent per pound.
108	Honey, in the comb or otherwise, and imitations thereof	2 cents per pound.
Ex 123	Canned whitebait and canned crayfish	15 per cent., but not more than 7½ cents per pound.
Ex 123	Shell-fish known as toheroas, in sealed tin containers, including liquid contents	Free.
124	Oysters, shelled, in bulk	5 cents per gallon.
125	Oysters, shelled, in cans not over 1 pint, including the duty on the cans	1½ cents per can.
126	Oysters, shelled, in cans over 1 pint and not over 1 quart, including the duty on the cans	2½ cents per can.
127	Oysters, shelled, in cans exceeding 1 quart in capacity, including the duty on the cans Provided that a fraction over a quart shall be computed as a quart for duty purposes under this item.	2½ cents per quart.
128	Oysters in the shell	15 per cent.
142	Tobacco, unmanufactured, for excise purposes under conditions of the Excise Act	Free.
Ex 152	Lemon and passion-fruit juices	Free.
Ex 163	Wines of the fresh grape of all kinds, not sparkling, imported in barrels or in bottles, containing more than 23 per cent. proof spirit and less than 35 per cent. proof spirit	25 cents per gallon.
Ex 169	Books, viz.: Novels or works of fiction, or literature of a similar character, unbound or paper bound or in sheets, when of New Zealand origin, but not to include Christmas annuals, or publications commonly known as juvenile and toy books	Free.
Ex 171	Books, printed, periodicals and pamphlets, or parts thereof, n.o.p., when of New Zealand origin, not to include blank account books, copy books, or books to be written or drawn upon	Free.
Ex 178	Advertising and printed matter, viz.:— Advertising pamphlets, advertising show cards, illustrated advertising periodicals; price books, catalogues and price lists; advertising almanacs and calendars; patent medicine or other advertising circulars, fly sheets or pamphlets, when printed in New Zealand for the purpose of advertising New Zealand products	Free.
207	Blood albumen and dried blood	Free.
208r	Animal glands, wet or dry, when imported by manufacturers of pharmaceutical and medicinal preparations for use exclusively in the manufacture of such preparations, in their own factories.. ..	Free.
Ex 232	Casein	12½ per cent.
232c	Gelatine, edible.. ..	12½ per cent
Ex 254	Kauri gum	Free.
Ex 280	Grease, rough, the refuse of animal fat, for the manufacture of soap and oils only	Free.
305- 306c	Building stone, other than marble or granite	Free.

SCHEDULE A—continued.

Item No.	Tariff Items.	Tariff Rates on Goods the Produce or Manufacture of New Zealand.
Ex 535	New Zealand hemp (<i>Phormium tenax</i>)	Free.
538	Binder twine or twine for harvest binders	Free.
Ex 549	Wool, not further prepared than combed	Free.
Ex 549	Wool or hair of the Angora rabbit	Free.
553	Blankets of any material, not to include automobile rugs, steamer rugs nor similar articles	22½ per cent.
Ex 555	Rugs, travelling, of wool	30 per cent.
Ex 572	Rugs, floor or carpet, of wool	25 per cent.
599	Hides and skins, raw, whether dry, salted or pickled; and raw pelts	Free.
601	Fur skins of all kinds, not dressed in any manner	Free.
Ex 662	Tankage	Free.
663	Fertilizers, compounded or manufactured, n.o.p. ..	Free.

SCHEDULE B.

Item No.	Tariff Items.	Tariff Rates on Goods the Produce or Manufacture of Canada.
7	Onions	£1 per ton.
11	Vegetables, viz.:— (1) Preserved peas in tins or similar containers including the weight of any liquid	20 per cent. ad val. or 1½d. per lb., whichever rate returns the higher duty.
The rates of Customs duty set forth in the General Tariff with respect to Tariff item numbered 11 (1) shall be deemed to be repealed, and the following shall be substituted therefor, viz.: “45 per cent. ad val. or 2½d. per lb., whichever rate returns the higher duty.”		
35	Fish, viz.:— (3) Fish, potted, and preserved, viz., salmon, including any liquor, oil, or sauce (4) Fish, potted, and preserved, n.e.i., including any liquor, oil, or sauce (NOTE.—The term “fish” is used in the Tariff in its widest sense, and includes shell-fish, crustaceans, and other foods obtained from the fisheries.)	1½d. per lb. 2d. per lb.
37	Fruits, fresh—viz.:— (1) Apples and pears	1d. per lb.
Ex 105	Calcium carbide	Free.
Ex 124	Gypsum, crude	Free.
Ex 137	Hosiery, viz.: Socks or stockings of silk or artificial silk	32½ per cent. ad val.
160	Furs and other similar skins, and articles made therefrom, viz.:— (1) Fur skins, green or sun-dried (2) Furs, and other similar skins, dressed or prepared, but not made up in any way	5 per cent. ad val. 25 per cent. ad val.

SCHEDULE B—continued.

Item. No.	Tariff Items.	Tariff Rates on Goods the Produce or Manufacture of Canada.
196	Boots, shoes, clogs, pattens, slippers, shoettes, sandals, goloshes, over shoes, and other footwear, n.e.i.	25 per cent. ad val.
212	Building materials, viz.:— (3) Plaster-pulp sheets, plaster board, and similar materials	35 per cent. ad val.
228	Plaster-of-paris	Free.
292	Paper-pulp, for the manufacture of paper	Free.
299	Paper of qualities and sizes approved by the Minister, on declaration that it will be used by orchardists only in wrapping fruit	Free.
300	Paper, viz.:— (2) N.e.i., including tin-foil paper, and gummed paper n.e.i.,— (b) In sheets of size not less than 20 in. by 15 in. or the equivalent.. .. .	Free.
333	Agricultural implements and machinery, viz.:— (1) Cultivators; harrows; ploughs; drills; seed and fertilizer sowers or distributors combined or separate; lime sowers; seed or grain cleaners, and cellular seed or grain separators	35 per cent. ad val.
The surtax to be levied, collected, and paid under section five of the Customs Acts Amendment Act, 1930, on the goods included in Tariff item numbered 333: (1) shall be an amount equal to one-twentieth of the total duty of Customs otherwise chargeable.		
353	(2) N.e.i., including ploughs, cultivators, and seed drills, hand-worked, combined or separate; ploughs, single furrow mouldboard, not exceeding 266 lb. net weight; also the following parts of ploughs or harrows, viz.—mouldboard-plates unbent, steel share-plates cut to pattern, skeith-plates, plough beam forgings, and discs for harrows or ploughs	Free.
353	(4) Electric cooking and electric heating appliances	30 per cent. ad val.
389	Motor-vehicles n.e.i.:— When the expenditure in material produced in Canada and/or labour performed within Canada calculated subject to the qualification set out in clause 6 of the Customs (Tariff Preference and General) Regulations, 1925, in each and every article is not less than three-fourths of the factory or works cost of such article in its finished state, and if the article otherwise complies with the laws, regulations, and conditions for the time being in force in New Zealand for the application of its British Preferential Tariff	10 per cent. ad val.; and in cases where such motor-vehicles are imported having bodies suited or designed for carrying passengers, an additional duty (herein referred to as "body duty") of 11½ per cent. ad val. on any such vehicle (inclusive of the body): Provided that where the value for duty of any vehicle (inclusive of the body) exceeds £200 the body duty shall be: On £200 of such value, 11½ per cent. ad val.; on the remainder of such value, 6½ per cent. ad val.
When the expenditure in material produced in Canada and/or labour performed within Canada calculated subject to the qualification set out in clause 6 of the Customs (Tariff Preference and General) Regulations, 1925, in each and every article is not less than one-half of the factory or works cost of such article in its finished state, and if the article otherwise complies with the laws, regulations, and conditions for the time being in force in New Zealand for the application of its British Preferential Tariff		20 per cent. ad val.; and in cases where such motor-vehicles are imported having bodies suited or designed for carrying passengers, an additional duty (herein referred to as "body duty") of 11½ per cent. ad val. on any such vehicle (inclusive of the body): Provided that where the value for duty of any vehicle (inclusive of the body) exceeds £200 the body duty shall be: On £200 of such value, 11½ per cent. ad val.; on the remainder of such value, 6½ per cent. ad val.

SCHEDULE B—*continued.*

Item. No.	Tariff Items.	Tariff Rates on Goods the Produce or Manufacture of Canada.
Motor-vehicles n.e.i.—<i>continued.</i>		
When any body of a motor-vehicle suited or designed for carrying passengers is imported by itself or otherwise than as set out above, body duty shall be payable and the Minister shall determine the amount of such body duty. The body duty so payable shall, as nearly as may be, be equal to the amount of body duty that would have been payable if such body had been imported as part of and attached to a motor-vehicle manufactured in the same country as the body.		
Where the Minister is of opinion that any duty is being or is likely to be evaded or avoided by the importation of any motor-vehicles without engines, tires, or other component parts which, in the ordinary course of business, are usually imported therewith, the Minister may, at his discretion, require that duty shall be paid as if such engines, tires, or other component parts had been imported with such vehicles.		
403	Laths, and shingles	20 per cent. ad val.
The rate of Customs duty set forth in the General Tariff with respect to Tariff item numbered 403 shall be deemed to be repealed, and the following shall be substituted therefor: "30 per cent. ad val."		
404	Timber rough sawn or rough hewn, viz. :— (2) Other kinds, in pieces having a length of not less than 25 ft., and having a minimum cross sectional area of not less than 150 square inches	7s. 6d. per 100 sup. ft.
The rate of Customs duty set forth in the General Tariff with respect to Tariff item numbered 404 (2) shall be deemed to be repealed, and the following shall be substituted therefor: "9s. 6d. per 100 sup. ft."		
	(3) N.e.i.	9s. 6d. per 100 sup. ft.
The rate of Customs duty set forth in the General Tariff with respect to Tariff item numbered 404 (3) shall be deemed to be repealed, and the following shall be substituted therefor: "11s. 6d. per 100 sup. ft."		
405	Timber sawn dressed	19s. per 100 sup. ft.
The rate of Customs duty set forth in the General Tariff with respect to Tariff item numbered 405 shall be deemed to be repealed, and the following shall be substituted therefor: "£1 ls. per 100 sup. ft."		