



7 October 2014

(14-5674)

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Committee on Market Access

Original: English

**NOTIFICATION PURSUANT TO THE DECISION ON NOTIFICATION PROCEDURES
FOR QUANTITATIVE RESTRICTIONS (G/L/59/REV.1)**

NEW ZEALAND

The following communication, dated 30 September 2014, is being circulated at the request of the delegation of New Zealand.

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| A. Notifying Member: New Zealand |
| B. Date of notification: October 2014 |
| C. First time notification: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, last notification was made in (doc. symbol): G/MA/QR/N/NZL/1 |
| D. Type of notification: <input checked="" type="checkbox"/> 1. Complete (i.e. notification of all quantitative restrictions in force) <input type="checkbox"/> 2. Changes to a notification previously made in G/MA/QR/N/NZL/1 which are of the following nature: <input checked="" type="checkbox"/> 2.1 Introduction of new restrictions, as listed in Section 1. <input type="checkbox"/> 2.2 Elimination of restrictions, as described in G below. <input type="checkbox"/> 2.3 Modification of a previously notified restriction, as described in Section 1. <input type="checkbox"/> 3. Reverse notification of restrictions maintained by (Member): |
| E. The notification provides information for the following biennial period (e.g. 2012-2014): <u>2014-2016</u> and relates to restrictions in force as of 30 September 2014 |
| F. This notification contains information* relating to: <input checked="" type="checkbox"/> Section 1: List of quantitative restrictions that are currently in force. <input checked="" type="checkbox"/> Section 2: Cross-reference to other WTO notifications with information on quantitative restrictions that are currently in force and additional information. |
| G. Comments of a general nature, including a description of the elimination of restrictions notified under D.2.2 and the date they ceased to be in force. New Zealand import and export restrictions, and the legislation by which they are enforced, can be found on the New Zealand Customs Service website, http://www.customs.govt.nz/ . |

* In English only.

Section 1: List of quantitative restrictions that are currently in force

| QR No. | General description of the restriction | Type of restriction (Symbol in Annex 2 of the Decision) | Tariff line code(s) affected, based on HS(2012) | Detailed Product Description | WTO Justification (e.g. Article XX(g) of the GATT, etc.) and Grounds for Restriction, e.g., Other International Commitments (e.g. Montreal Protocol, CITES, etc) | National legal basis and entry into force (i.e. Law, regulation or administrative decision) | Administration, modification of previously notified measures, and other comments |
|--------|--|---|---|---|--|--|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1 | Prohibition on the importation of cloned and hybrid human embryos | P | 0511.99.00.49E | Cloned and hybrid human embryos as described in Schedule 1 of the Human Assisted Reproductive Technology Act 2004). | Article XX (a) - necessary to protect public morals | Human Assisted Reproductive Technology Act 2004 | Administered by the Ministry of Justice |
| 2 | Prohibition on the importation of objectionable publications; and all other indecent or obscene articles | P | Various, including: 49.01, 4911.99.18, 8523.40.09, 8523.40.19 | Publications (includes a film, book, sound recording, picture, newspaper, computer disk) which are "objectionable" within the meaning of the Films, Videos, and Publications Act 1993 | Article XX (a) - necessary to protect public morals | Films, Videos, and Publications Act 1993, Customs and Excise Act 1996. | Administered by the New Zealand Customs Service |
| 3 | Prohibition on the importation of cannabis utensils and methamphetamine pipes | P | 9614.00.00.19K | Cannabis utensils (namely: bongs, hash pipes, head pipes, , roach clip,) , and methamphetamine pipes. Also includes parts of any cannabis or methamphetamine utensil. | Article XX (b) – necessary to protect human , animal or plant life or health | Misuse of Drugs (Prohibition of Cannabis Utensils and Methamphetamine Utensils) Notice 2014, Misuse of Drugs Act 1975, Customs and Excise Act 1996 | The new Notice prohibits importation of drug utensils in parts. The Notice also removes hookah and shisha pipes from the list of cannabis utensils. |

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|--------|---|---|---|--|--|---|--|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | | Administered by the Ministry of Health |
| 4 | Prohibition on the importation of particular dog breeds | P | 0106.19.00.19B | Any dog that belongs wholly or predominantly to certain breeds (Brazilian Fila, Dogo Argentino, Japanese Tosa, Perro de Presa Canario), and one type of dog (American Pit Bull Terrier). | Article XX (b) – necessary to protect human , animal or plant life or health | Dog Control Act 1996 | Administered by the Department of Internal Affairs |
| 5 | Prohibition on the importation of radio jamming equipment | P | Various, including HS Chapter 85 | Any electronic device that deliberately disrupts or jams reception of radio signals including cell phones and GPS. | Article XX (b) – necessary to protect human , animal or plant life or health | Radiocommunications Regulations (Prohibited Equipment – Radio Jammer Equipment) Notice 2011 | The importation of radio jammer equipment is prohibited, unless it is by or for supply to a permitted person under the Radiocommunications Regulations. Administered by the Ministry for Business, Innovation, and Employment. |
| 6 | Prohibition on the importation of goods | P | Various | Goods bearing a label or other form of | Article XX (d) - to secure compliance | Fair Trading Act 1986 | Administered by the New Zealand Customs |

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| | bearing false/misleading information | | | identification which contains a false or misleading representation as to their quality and country of origin are prohibited imports. | with domestic regulations | | Service |
| 7 | Prohibition on the importation of cars with false odometer readings | P | 8702, 8703, 8704, 8705 | Motor vehicles without an odometer, or with an odometer reading which does not correctly record the distance the vehicle has been driven. | Article XX (d) - to secure compliance with domestic regulations | Customs Import Prohibition Order 2014; and Customs and Excise Act 1996 | Administered by the Ministry of Consumer Affairs |
| 8 | Prohibition on the importation of dog tracking and training devices | P | 8525.60.00.19E, 8526.91.00.00H | Non-compliant radio equipment used for, or with the primary purpose of being used for, tracking or training dogs or other animals that operate in the frequencies 151.820 MHz, 151.880 MHz, 151.940 MHz, 154.570 MHz and 154.600 MHz, including, but not limited to, the following makes | Article XX (d) - to secure compliance with domestic regulations | Radiocommunications Regulations (Prohibited Equipment – Animal Tracking and Training Devices) Notice 2014 | The importation of animal tracking and training devices equipment is prohibited, unless it is by a permitted person under the Radiocommunications Regulations Administered by the Ministry of Business, Innovation and |

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| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | and models operating within these frequencies: Garmin Astro 220 system, Garmin Astro 320 system, Garmin Alpha 100 system, Garmin DC 20 collar, Garmin DC 30 collar, Garmin DC 40 collar, Garmin DC 50 collar, Garmin TT 10 collar, SportDOG TEK equipment, Garmin TT 15 collar, Garmin T5 collar, Garmin PRO Trashbreaker (Tri-Tronics Trashbreaker) | | | Employment - Radio Spectrum Management |
| 9 | Conditional prohibition on the importation of hazardous chemicals and new organisms | CP | Various | Substances and new organisms as defined under the Hazardous Substances and New Organisms (HSNO) Act 1996. http://www.legislation.govt.nz/act/public/1996/0030/latest/DLM381228.htm | Article XX (b) – necessary to protect human , animal or plant life or health | Hazardous Substances and New Organisms Act 1996 (HSNO) | Hazardous substances and new organisms as outlined in the HSNO Act are not able to enter New Zealand until they have obtained formal approval. This is done once upon the initial |

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|--------|---|---|---|---|--|---|--|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | ml | | | introduction of each substance or organism to New Zealand, not on a shipment by shipment basis, and anyone complying with the terms of the approval may import or manufacture the substance or make use of the organism. Once approval has been granted, certain documentation requirements remain. Administered by the Environmental Protection Agency. |
| 10 | Conditional prohibition on the importation of chewing tobacco and other tobaccos taken orally | CP | 2403.99.90.09J | Chewing tobacco and other tobaccos taken orally, unless the tobacco is for personal use only. | Article XX (b) – necessary to protect human , animal or plant life or health | Smoke-free Environments Act 1990 | No person shall import for sale, sell, pack, or distribute any tobacco product labelled or otherwise described as suitable for chewing, or for any other oral use (other than smoking). |

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| | | | | | | | Administered by the Ministry of Health. |
| 11 | Conditional prohibition on the importation of high powered laser pointers | CP | 9013.20.00 | Hand-held, battery-operated laser pointers with a power output of more than 1 milliwatt. | Article XX (b) – necessary to protect human, animal or plant life or health. | Custom Import Prohibition (High-power Laser Pointers) Order 2013, Health (High-power Laser Pointers) Regulations 2013 | Administered by the Ministry of Health. |
| 12 | Conditional prohibition on the importation of small high powered magnets | CP | 8505.11, 8505.19, and ICS Code 29.030 | Small high powered magnets | Article XX (b) – necessary to protect human, animal or plant life or health. | Unsafe Goods (Small High Powered Magnets) Indefinite Prohibition Notice 2014, Fair Trading Act 1986 | Administered by the Ministry of Business Innovation and Employment |
| 13 | Conditional prohibition on the importation of multipurpose ladders. | CP | 7616.99 | Multipurpose ladders | Article XX (b) – necessary to protect human, animal or plant life or health. | Unsafe Goods (Multipurpose ladders) Indefinite Prohibition Notice 2014/ Fair Trading Act 1986 | Administered by the Ministry of Business Innovation and Employment |
| 14 | Conditional prohibition on the importation of trout and trout products | CP | Various, including: 0301.91.00, 0302.11.00, 030314.00, 0304.42.00, | Live trout and trout products, unless in quantities under 10 kilograms not intended for sale. | Article XX(g) - relating to the conservation of exhaustible natural resources | Customs Import Prohibition (Trout) Order 2010 | The Minister of Conservation can approve imports of trout and trout products, subject to conditions that may be |

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| | | | 0304.82.00, 0305.43.00 | | | | imposed that are not inconsistent with the import prohibition. Administered by the Department of Conservation. |
| 15 | Conditional prohibition on the importation of Southern Bluefin Tuna | CP | 0302.36, 0303.46 | Southern Bluefin Tuna | Article XX(g) - relating to the conservation of exhaustible natural resources | Customs Import Prohibition (Southern Bluefin Tuna) Order 2013 | Commission for the Conservation of Southern Bluefin Tuna (CCSBT) Catch Documentation Scheme for southern bluefin imported into New Zealand must be tagged and accompanied by appropriate documentation. Bluefin import prohibition administered on behalf of the Ministry for Primary Industries by the New Zealand Customs Service. |

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| 16 | Conditional prohibition on the exportation of controlled drugs | CP-X | Various | Goods as outlined in the Single Convention on Narcotic Drugs 1961 (http://www.unodc.org/pdf/convention_1961_en.pdf) and the Convention on Psychotropic Substances 1971 (http://www.unodc.org/pdf/convention_1971_en.pdf). | Article XX (b) – necessary to protect human, animal or plant life or health. Single Convention on Narcotic Drugs 1961. Convention on Psychotropic Substances 1971. | Misuse of Drugs Act 1975, Misuse of Drugs Regulations 1977 | Administered by the Ministry of Health |
| 17 | Conditional prohibition on the exportation of severely restricted or banned hazardous chemicals | CP-X | Various within HS Chapters 28 and 29 | Hazardous chemicals covered by the Rotterdam Convention http://www.pic.int/TheConvention/Overview/tabid/1044/language/en-US/Default.aspx . | Article XX (b) – necessary to protect human, animal or plant life or health. Rotterdam Convention | Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 | This measure implements the Rotterdam Convention, and requires those exporting hazardous chemicals to obtain an export permit. Permits may cover more than one shipment but are limited to one year. Administered by the Environmental Protection Agency. |
| 18 | Conditional prohibition on the | CP-X | 7103.10.00, 7103.99.01 | Pounamu in its natural state, and partly or | Article XX (f) - imposed for the | Protected Objects Act 1975 | Consent from the Minister of Customs is |

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| | exportation of Pounamu (New Zealand greenstone) in its natural state, and partly or wholly processed Pounamu | | | wholly processed pounamu. | protection of national treasures of artistic, historic or archaeological value | | required to export these goods. Administered by the Ministry for Culture and Heritage. |
| 19 | Conditional prohibition on the exportation of protected New Zealand objects | CP-X | Various. | Protected New Zealand objects – previously known as antiquities – that have significant importance in terms of the country's culture and sense of identity. | Article XX(f) – imposed for the protection of national treasures of artistic, historic, or archaeological value. | Protected Objects Act 1975 | Approval from the Ministry for Culture and Heritage is required to export these goods. Administered by the Ministry for Culture and Heritage. |
| 20 | Conditional prohibition on the exportation of birds and other wildlife | CP-X | Various, including: 0106.20, 0106.31, 0106.32, 0106.39 | Birds and other wildlife (any bat or any bird) not being a domestic bird, or any reptile or any amphibian or any terrestrial or freshwater invertebrate specified in Schedule 7 to the Wildlife Act 1953 or any skin, feathers, egg, flesh, or other part of any such species). | Article XX(g) - relating to the conservation of exhaustible natural resources | Wildlife Act 1953 , Wild Animal Control Act 1977, Trade in Endangered Species Act 1989 | This measure prohibits the exportation of birds and other wildlife, except with the prior written authority of the Director-General of the Department of Conservation. Administered by the Department of Conservation. |

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| 21 | Conditional prohibition on the exportation of marine animals | CP-X | 0106.12, 0106.19, 0106.90 | Marine mammals and parts of marine mammals, such as seals, whales, dolphins and porpoises. | Article XX(g) - relating to the conservation of exhaustible natural resources | Marine Mammals Protection Act 1978, Trade in Endangered Species Act 1989 | The Marine Mammals Protection Act requires that exporters of Marine Mammals have a permit to do so. Administered by the Department of Conservation. |
| 22 | Conditional prohibition on the exportation of indigenous timber | CP-X | Parts of HS Chapter 44 | Indigenous timber, except for the timbers permitted for export as outlined in Part 3A of the Forests Act 1949 http://www.legislation.govt.nz/act/public/1949/0019/latest/DLM255626.html . | Article XX(g) - relating to the conservation of exhaustible natural resources | Forests Act 1949 | Administered by the Ministry for Primary Industries. |
| 23 | Conditional prohibition and global quota on the exportation of some endangered, threatened or exploited species (Appendices I, II and III of CITES) | CP-X | Various | Species listed in the Appendices of the Convention on International Trade in Endangered Species (CITES) http://www.cites.org/eng/app/appendices.php . | Article XX(g) - relating to the conservation of exhaustible natural resources. Convention on International Trade in Endangered Species (CITES). | Trade in Endangered Species Act 1989 | CITES requires documentation for the import, export, re-export and introduction from the species listed in its Appendices. The nature of permissions depends on: the Appendix in which the |

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| | | | | | | | species is listed; the age of the specimen; and the nature of the specimen (e.g. personal effects, scientific samples, etc.). All parts and derivatives of species are included. Administered by the Department of Conservation. |
| 24 | Conditional prohibition on the exportation of live green lipped mussels with a shell size of less than 50mm in length. | CP-X | 0307.39 0307.31 | Live New Zealand green-lipped mussels with a shell size of less than 50mm | Article XX(g) – relating to the conservation of exhaustible natural resources | Customs Export Prohibition Order 2014 | The exportation of live New Zealand green-lipped mussels with a shell size of less than 50mm in length is prohibited, except with the consent of, and subject to such conditions (if any) not inconsistent with this prohibition that are imposed by, the Minister of Fisheries. Administered on behalf |

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| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | | of the Ministry for Primary Industries by the New Zealand Customs Service. |
| 25 | Conditional prohibition on the exportation of goods and technologies that can be used in the production, development or delivery of nuclear, chemical or biological weapons (strategic goods) | CP-X | HS Chapters 28, 29, 84, 85, 90 | Goods as listed in the New Zealand Strategic Goods List 2012 http://www.mfat.govt.nz/Trade-and-Economic-Relations/3-Export-controls/1-NZ-Strategic-Goods-List/07-NZ-Strategic-Goods-List-(full).php | Article XXI - Security Exceptions | Customs and Excise Act 1996, Customs Export Prohibition Order 2011 | Administered by the Ministry of Foreign Affairs and Trade. |
| 26 | Conditional prohibition on the exportation and importation of Radioactive materials | CP, CP-X | 2844 | Radioactive materials as defined in the Radiation Protection Act 1965 http://www.legislation.govt.nz/act/public/1965/0023/latest/DLM372544.html . | Article XX (b) – necessary to protect human, animal or plant life or health | Radiation Protection Act 1965 and subsequent regulations. | Radioactive materials are not able to be imported into New Zealand, or exported from New Zealand, except with the prior consent in writing of the Minister or in accordance with or as permitted by regulations made under |

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| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | | the Radiation Protection Act 1965. Administered by the Ministry of Health. |
| 27 | Conditional prohibition on the exportation and importation of persistent organic pollutants | CP, CP-X | Various, including: 2903.31.00.00K 2903.81.00.00H 2903.82.00.00B 2903.92.00.00F 2908.11.00.00C 2908.91.00.00B 2908.92.00.00G 2915.36.00.10C 2916.16.00.00G 2918.18.00.00B 2918.91.00.00K 2920.11.00.00B 2924.12.00.00K 2925.21.00.00G 2930.50.00.00K 2931.10.00.00C 2931.20.00.00G | Persistent organic pollutants as covered by the Stockholm Convention http://chm.pops.int/Convention/tabid/54/Default.aspx . | Article XX (b) – necessary to protect human, animal or plant life or health. Stockholm Convention on Persistent Organic Pollutants. | Imports: Hazardous Substances and New Organisms Act 1996. Exports: Imports and Exports (Restrictions) Prohibition Order (No 2) 2004. | Specific exemptions exist when imports or exports are in conformity with the Stockholm Convention, and a permit must be obtained. Administered by the Environmental Protection Agency. |
| 28 | Conditional Prohibition on the importation and | CP, CP-X | 0302.36, 0303.47 | Antarctic Toothfish and Patagonian Toothfish | Article XX(g) - relating to the conservation of | Customs Import Prohibition (Toothfish) Order 2009, Customs | Commission for the Conservation of Antarctic Marine Living |

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| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | exportation of Antarctic Toothfish and Patagonian Toothfish | | | | exhaustible natural resources | Export Prohibition (Toothfish) Order 2009 | <p>Resources (CCAMLR) Catch Documentation Scheme for Antarctic Toothfish and Patagonian Toothfish requires that all toothfish imported into, or exported from New Zealand must be accompanied by appropriate documentation.</p> <p>Antarctic Toothfish and Patagonian Toothfish import and export prohibitions administered on behalf of the Ministry for Primary Industries by the New Zealand Customs Service.</p> |

Section 2: Cross-reference to other WTO notifications with information on quantitative restrictions that are currently in force

This section shall be filled by Members in case a notification made pursuant to another notification requirement (e.g. set in the Agreement on Agriculture, Agreement on Balance of Payments, Agreement on Safeguards, and the Agreement on Import Licensing Procedures, etc.) contains information on a quantitative restriction in force and which is not listed in Section 1.

1. Agreement on Agriculture

A. Was a notification made with information on a quantitative restriction? Yes ☐ No ☒

2. Agreement on Balance of Payments

A. Was a notification made with information on a quantitative restriction? Yes ☐ No ☒

3. Agreement on Safeguards

A. Was a notification made with information on a quantitative restriction? Yes ☐ No ☒

4. Agreement on Import Licensing Procedures (non-automatic licences)

A. Was a notification made with information on a quantitative restriction? Yes ☒ No ☐

B. If yes, then list below the relevant document symbol and include any information element missing in the notification:

| Document symbol of notification | General description | Type of restr. | Tariff line code(s) affected, based on HS(2012) | Detailed Product Description | WTO Justification and Grounds for Restriction, e.g., Other International Commitments | National legal basis and entry into force | Administration; modification of prev. notified measures; and other comments |
|---------------------------------|----------------------|----------------|---|------------------------------|--|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| G/LIC/N/3/NZL/2 | Anti-Personnel Mines | | | | | | |
| G/LIC/N/3/NZL/2 | Chemical Weapons | | | | | | |

| Document symbol of notification | General description | Type of restr. | Tariff line code(s) affected, based on HS(2012) | Detailed Product Description | WTO Justification and Grounds for Restriction, e.g., Other International Commitments | National legal basis and entry into force | Administration; modification of prev. notified measures; and other comments |
|---------------------------------|--|----------------|---|------------------------------|--|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| G/LIC/N/3/NZL/2 | Controlled Drugs | | | | | | |
| G/LIC/N/3/NZL/2 | Cluster Munitions | | | | | | |
| G/LIC/N/3/NZL/2 | Endangered, threatened species | | | | | | |
| G/LIC/N/3/NZL/2 | Firearms and restricted weapons | | | | | | |
| G/LIC/N/3/NZL/2 | Hazardous Wastes | | | | | | |
| G/LIC/N/3/NZL/2 | Graphic Materials Intended for Use by Children | | | | | | |
| G/LIC/N/3/NZL/2 | Imports to Antarctica | | | | | | |
| G/LIC/N/3/NZL/2 | Marine animals | | | | | | |
| G/LIC/N/3/NZL/2 | Ozone Depleting Substances | | | | | | |
| G/LIC/N/3/NZL/2 | Radioactive Substances | | | | | | |

5. Other notifications

A. Was a notification made with information on a quantitative restriction in other notifications? Yes ☐ No ☒

B. If yes, then list below the relevant document symbol and include any information element missing in the notification:
