



New Zealand Gazette

CUSTOMS EDITION

WELLINGTON: TUESDAY, 26 MAY 1998

TARIFF CONCESSION NOTICES

(INCLUDING OTHER NOTICES UNDER THE
TARIFF ACT 1988 AND THE CUSTOMS AND EXCISE ACT 1996)

TARIFF INDUSTRY ASSISTANCE (ADVERTISEMENT) NOTICE NO. 1998/18

Applications Advertised for Objection
Closing Date for Objections 16th June 1998

- 1 Notice is hereby given that the following applications have been made in respect of the goods advertised in the Schedule to this notice. Any person wishing to lodge an objection should do so in writing, to the Ministry of Commerce, PO Box 1473, Wellington, Fax 0-4-474-2843 indicated by the reference number, before 16th June 1998. All submissions should include:
- the Tariff Industry Assistance (Advertisement) Notice number;
 - the Tariff item; and
 - Reference number.
- 2 All submissions from local manufacturers should include:
- the range of alternative goods made locally;
 - the grounds on which objection is made (including reasons why the local product is a suitable alternative);
 - present and potential output;
 - details of factory cost in terms of materials, labour, overheads, including the proportion of domestic and imported content.
- 3 All submissions objecting to a request for the withdrawal of a concession should include:
- reasons why the local product on which protection is sought is not a suitable alternative;
 - full technical details of the goods against which tariff protection is sought.
- 4 Where further information is required in order to make a submission an objector should contact the applicant in writing and refer a copy of the enquiry to the Ministry of Commerce quoting the details in paragraph 1 above.

Tariff Item	Description of Goods	Name and Address of Applicant	Part II Ref.	Appn. Ref. No.	*Category of Appn.
3907.99.09	Saturated polyester resins, viz: Uralac SN808 S2 G3 50 Uralac SN808 DS2-50 Uralac SN833 S2-55	TCL Marketing Ltd PO Box 11-127 AUCKLAND	99	996231L	A
3911.90.09	Polymin KE78 (polyacrylamide)	BASF New Zealand Ltd C/- PO Box 53 012 AUCKLAND AIRPORT	99	996072E	A
3911.90.09	Polymin SK (polyethylamine)	BASF New Zealand Ltd C/- PO Box 53 012 AUCKLAND AIRPORT	99	996075K	A
4823.90.19	Photographic transparency display sets consisting of cut out masks of paperboard and protective sleeves of acetate	Australasian International PO Box 73-111 AUCKLAND AIRPORT	99	996216G	A
6002.93.09	Knitted fabric article 15407, 98% acetate, 2% elastane - 800 metres	Moontide International Ltd C/- International Services Ltd PO Box 73-110 AUCKLAND AIRPORT	99	996253A	IM
6506.10.09	Ski and snowboard helmets	Brian Phillips Cycles Ltd C/- Anglo Pacific International Ltd PO Box 14107 CHRISTCHURCH	99	996255H	A
7412.20.00	Compression couplings	Unimecanica Ltd C/- Marshall Customs PO Box 43-233 AUCKLAND	99	996252C	A
8476.89.00	Kiosk vending machines suited for the production of digital imaging postcards, ID photos and photo stickers	Photo Graphics Direct C/- K A Hobbs Customs Agents Ltd PO Box 53-027 AUCKLAND AIRPORT	99	996230B	A
8479.89.00	Feeding aids and accessories of a type used by disabled persons	Geard Marketing Ltd PO Box 44-288 LOWER HUTT	99	996232J	A
8516.60	CURRENT APPROVAL: Benchtop convection oven not exceeding 13 litre oven capacity and not exceeding a wattage of 1400		99	994412F	V
8516.60	REQUESTED APPROVAL: Bench top convection oven	Sunbeam Corporation Limited C/- Hammond International Limited PO Box 3349 WELLINGTON	99	996234E	V
8517.80.00	Ericsson brand pair gain equipment	Ericsson Communications Ltd C/- Hammond International Ltd PO Box 1011 NAPIER	99	996256F	A

Tariff Industry Assistance (Advertisement) Notice No. 1998/18 – *continued*

Tariff Item	Description of Goods	Name and Address of Applicant	Part II Ref.	Appn. Ref. No.	*Category of Appn.
8543.89.30	Metal detectors of a kind used in the food and pharmaceutical process industry "Balanced coil system"	Heat and Control Ltd C/- PO Box 107008 Airport Oaks AUCKLAND	99	996235C	A
8602.90.01	3 only diesel hydraulic tunnel locomotives, model CFL-180 DCL	Fletcher Dillingham Ilbau JV C/- N J Crisp Ltd PO Box 1377 INVERCARGILL	99	996236A	SS

* Category of Application:

A	-	General Approval
CE	-	Capital Equipment
IM	-	Inputs to Manufacturing – Inability to Supply
IP	-	Inadequate Production
MS	-	Manufacturers' Samples
RUC	-	Revocation of Unused Concession
S	-	Shortfall
SS	-	Special Situation
V	-	Variation of Existing Concession
W	-	Withdrawal of Concession
+	-	Denotes amendment or addition

Dated at Wellington this 21st day of May 1998.

V.A. MANKS, Ministry of Commerce.

Tariff Act 1988

TARIFF CONCESSION APPROVALS, WITHDRAWALS AND DECLINES NOTICE (NO. 18) 1998

I, Vincent Anthony Manks, Executive Officer, Ministry of Commerce, acting pursuant to section 8 of the Tariff Act 1988 under delegated authority hereby:

- (a) In accordance with Part II of the Tariff approve in respect of the entry of goods listed in the First Schedule to this notice the rates of duty or exemptions from duty specified in that Schedule with effect from the first day of the month so specified; and
- (b) In accordance with Part II of the Tariff approve in respect of the entry of goods listed in the Second Schedule to this notice the exemptions from duty specified in that Schedule with effect from the first day of the month so specified subject however to such purposes and conditions which I prescribe; and
- (c) Withdraw with effect fourteen days from the date of this *Gazette*, or otherwise at the date so specified, the approvals granted in respect of the entry of goods listed in the Third Schedule to this notice; and
- (d) Decline to approve in respect of the goods listed in the Fourth Schedule to this notice concessions for which application was made.

FIRST SCHEDULE
Concessions Approved

Tariff Item	Description of Goods	Rates of Duty		Part II Ref.	Ref. No.	Effective	
		Normal	Pref.			From	To
X 4810.11.01)	Clay coated woodfree printing and writing paper weighing more than 22 g/m ² , of a type suited for use in the production of magazines	Free	Free	99	880364B	1/88	..
4810.12.01)							
X 4810.21.01)	Clay coated mechanical magazine paper weighing more than 67 g/m ² , of which not less than 55 percent by weight of the total fibre content consists of wood fibres obtained by a mechanical process, of a type suited for use in the production of magazines <i>Note:</i> A magazine is one issue in a continuous series under the same title at regular intervals but at least half yearly, but excluding: (a) directories; newspapers; comics and similar publications in which the content is mainly in the form of illustrations; (b) staff journals and similar in-house publications; annual reports of companies, associations and similar bodies; (c) publications which are NOT bound; (d) publications issued primarily for publicity or promotional purposes; (e) Government publications	Free	Free	99	880365L	1/88	..
4810.29.01)							
X 5607.49.01)	Eight plait rope, polyester and polypropylene mix, over 96mm in diameter, with or without fittings	Free	Free	99	994789C	4/97	..
5609.00.00)							
A 8425.49.29	Electromechanical hoists for raising motor vehicles	Free	Free	99	996101B	2/98	..
X Chapter 87	Catalogued or identifiable parts of machines may be admitted under the Part II duty concession granted in respect of the parent machine. Catalogued or identifiable parts of machines which in their own right are entitled to a Normal Tariff rate of free under Part I of the Tariff are also covered by this concession. This applies regardless of Tariff classification with the following exceptions; (1) Parts of general use (2) Any part which is subject to a specific Determination of the Minister (3) Fans and blowers (4) Parts of machines approved for entry under Part II concessions 60, 70, 80, 81 (5) Buckets, shovels and grabs and parts thereof (6) Hydraulic hoses with fittings attached (7) Articles of needleloom felt (8) Interchangeable tools e.g. tool bits, saw blades, grinding wheels (9) Tyres and tubes (10) Electric accumulators (11) Electric filament or discharge lamps and tubes (12) Knives and cutting blades (13) Engines (14) Transmission shafts - flexible (15) Oil, air and fuel filters for internal combustion engines except those filters qualifying for Part II concession listed under Tariff heading 84.21 (16) Motor vehicles of tariff heading 87.01, 87.02, 87.04, 87.05, 87.06 and 87.07 (17) Parts and accessories of motor vehicles	Free	Free	99	996257D	5/98	..

SECOND SCHEDULE

Concession Approvals Subject to Prescribed Purposes and Conditions

Tariff Item	Description of Goods	Rates of Duty		Part II Ref.	Ref. No.	Effective	
		Normal	Pref.			From	To
IM 5112.11.08	Wool 90%, polyamide 10% - 600m ²	Free	Free	99	996205A	4/98	11/98
5112.11.08	Wool 90%, polyamide 10% - 4050m ²						
5112.11.08	Wool 92%, polyamide 8% - 250m ²						
5112.11.08	Wool 100% - 200m ²						
5112.11.08	Wool 100% - 350m ²						
5112.11.08	Wool 100% - 400m ²						
5112.11.08	Wool 100% - 560m ²						
5112.19.00	Wool 95%, cashmere 5% - 1200m ²						
5112.19.00	Wool 100% - 6000m ²						
5112.30.08	Wool 60%, polyester 40% - 300m ²						

Tariff Concession Approvals, Withdrawals and Declines Notice No. 1998/18 – continued

Tariff Item	Description of Goods	Rates of Duty		Part II Ref.	Ref. No.	Effective	
		Normal	Pref.			From	To
IM 5112.11.08	Wool 98%, lycra 2% – 5000m ²	Free	Free	99	996207H	4/98	11/98
5112.11.08	Wool 100% – 2000m ²						
5112.11.08	Wool 100% – 5000m ²						
5112.19.00	Wool 100% – 300m ²						
5112.19.00	Wool 100% – 4500m ²						
IM 5112.19.00	Wool 100% – 30000m ²	Free	Free	99	996211F	4/98	12/98
IM 5515.13.29	Polyester 55%, wool 45% – 1200m ²	Free	Free	99	996209D	4/98	11/98

THIRD SCHEDULE
Concession Approvals Withdrawn

Tariff Item	Description of Goods	Rates of Duty		Part II Ref.	Ref. No.	Effective	
		Normal	Pref.			From	To
4810.11.01)	Clay ... magazines	..	..	..	880364B	..	..
4810.12.01)							
4810.21.01)	Clay publications	..	..	..	880365L	..	..
4810.29.01)							
5607.49.01)	Eight ... fittings	..	..	..	994789C	..	..
5609.00.00)							
Chapter 87	Catalogued ... 87.07	..	..	..	990203B	..	..

FOURTH SCHEDULE
Applications for Concessions Declined

Tariff Item	Description of Goods	Ref. No.
7326.90.09) 7616.99.90)	Aluminium collapsible, mobile clothes lines and steel garage stands	996079B

* Category of Approval:	A	-	General Approval
	CE	-	Capital Equipment
	GT	-	Goods in Transit
	IM	-	Inputs to Manufacturing – Inability to Supply
	IP	-	Inadequate Production
	MS	-	Manufacturers' Samples
	RUC	-	Revocation of Unused Concession
	S	-	Shortfall
	SS	-	Special Situation
	V	-	Variation of Existing Concession
	X	-	Administrative Amendment

NOTE

The concessions approved subject to prescribed purposes and conditions as listed in the Second Schedule to this notice and declined applications for concessions as listed in the Fourth Schedule to this notice will not be published in the Consolidated List of Approvals.

Dated at Wellington this 21st day of May 1998.

V.A. MANKS, Ministry of Commerce

Preamble

The decision to put in place a duty refund provision for motor vehicle imports was first announced by the Minister of Commerce on 18 December 1997. It was further confirmed by the Minister in his press release of 14 May 1998 following the announcement in the Budget of 14 May 1998, that tariffs would be removed on motor vehicles of tariff heading 87.03 (excluding motor homes and ambulances) and light commercial vehicles of tariff items 8704.21.11, 8704.31.11 and 8704.90.11 from midnight 14 May 1998.

The purpose of this concession is to give some assistance to motor vehicle importers and dealers who, at the time of the Budget announcement, will be left with unsold stock on which duty has been paid. By assisting these traders the Government is intending to facilitate selling that stock at lower prices thus benefiting the consumer. Duty refund payments can only be made by the New Zealand Customs Service to the importer i.e. the person who paid the duty. However, the Government hopes that importers and dealers will reach agreements which would enable the benefits of any duty refunds to be passed onto the dealers who are holding "unsold" duty-paid stock.

APPROVAL UNDER SECTION 8 OF THE TARIFF ACT 1988**Approval Reference No: 996233G**

Pursuant to section 8 of the Tariff Act 1988 and in accordance with Part II of the Tariff Act 1988, I approve in respect of the entry of motor vehicles of tariff heading 87.03 (other than motor-homes and ambulances) and light commercial vehicles of tariff items 8704.21.11, 8704.31.11 and 8704.90.11 imported on or after 14 February 1998 that are either:

- (a) Not registered under the Transport (Vehicle and Driver Registration and Licensing) Act 1986 as at midnight on 14 May 1998; or
- (b) Registered under the Transport (Vehicle and Driver Registration and Licensing) Act 1986 as at midnight on 14 May 1998, where the registered owner is the holder of a licence under the Motor Vehicle Dealers Act 1975 and there are no other persons recorded as having been the registered owner of the vehicle;

the exemption specified in Part II of the Tariff Act 1988 for concession reference number 99 on the following conditions:

- 1 Where a refund of any duty paid under section 112 of the Customs and Excise Act 1996 or a reassessment of duty under section 89 of the Customs and Excise Act 1996 is sought in respect of a vehicle subject to this approval, the importer of the vehicle must apply for the refund or reassessment to the Customs office where the vehicles were initially entered into New Zealand;
- 2 Applications for refunds or reassessments must be accompanied by evidence that the vehicles qualify for this approval. This requirement will be satisfied by either:
 - (a) In respect of any vehicle that is not registered as at midnight on 14 May 1998, the importer making a declaration in accordance with the Oaths and Declarations Act 1957 that the vehicle was not registered as at midnight on 14 May 1998; or
 - (b) In respect of any vehicle that is registered as at midnight on 14 May 1998, the importer providing the following:
 - (i) A certificate signed under section 18 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986 which shows the particulars recorded in the register of the registered owner of the vehicle at midnight on 14 May 1998 and that there are no other persons recorded as having been the registered owner of the vehicle; and
 - (ii) A copy of the licence in force as at midnight on 14 May 1998 issued under the Motor Vehicle Dealers Act 1975 to the person registered as the registered owner of the vehicle in respect of which the application is made.

- 3 Applications for refunds or reassessments must state:
- (a) The name, address, code number of the importer and a contact number for inquiries;
 - (b) The vehicle inspection number and engine or chassis number of each vehicle subject to the approval;
 - (c) The make and model of each vehicle;
 - (d) The import entry number on which each vehicle was first imported;
 - (e) The amount of refund or reassessment being claimed by the applicant in respect of each vehicle;
 - (f) In respect of vehicles which are registered in the name of the holder of a licence under the Motor Vehicle Dealers Act 1975 as at midnight on 14 May 1998, the number or distinguishing mark shown on the registration plate or plates of the vehicle; and
 - (g) The physical location of the vehicle at midnight on 14 May 1998.
- 4 Each application for a refund or reassessment must be signed by the applicant and the applicant must declare that the particulars contained in the application are true and correct.

For the purposes of this approval, the following terms have the following meanings:

- 1 "Imported" has the meaning set out in section 2 of the Customs and Excise Act 1996; and
- 2 "Registered", in respect of a vehicle, means a vehicle registered in accordance with Part I of the Transport (Vehicle and Driver Registration and Licensing) Act 1986.

Ministry of Commerce

14 May 1998

INCREASE IN REFERENCE 99 TARIFF CONCESSION APPLICATION FEE

On 8 April 1998, the Cabinet Economic Committee approved an increase in the Reference 99 tariff concession application fee from \$252 to \$390. The fee increase will become effective from 1 July 1998.

The fee of \$252 was first introduced on 21 March 1991 to fund on a total cost recovery basis the expenses incurred by the Ministry in processing certain tariff concession applications. Unfortunately, ever since its introduction, the fee has failed to achieve total cost recovery. This is despite the Concessions Unit having taken a number of initiatives over this period of time to reduce its operating expenditure. The most recent has been to move from the Ministry of Commerce Building to the Bowen State Building to reduce accommodation costs.

Although the Ministry has continued to subsidise the cost of processing Reference 99 tariff concession applications, the new fee level does not seek to recover any of this amount. It has been set solely to recover the expected costs of processing applications over the next four years. This should avoid any necessity to change the fee every year.

The fee level recognises that the number of concession applications have been reducing and will likely continue to reduce in line with Government's tariff reduction programme. There will also be a consequential reduction in staffing, but despite this the Ministry remains committed to providing the best possible service at the lowest possible cost.

If you are interested in further detail of how the fee was calculated you are invited to contact Vince Manks of the Tariff Concession Unit who will be pleased to explain it to you.

A C Cranston
Competition & Enterprise Branch

Commerce

Dumping and Countervailing Duties Act 1988

Final Determination of Dumping Investigation: Portland Cement From China

Pursuant to section 13 of the Dumping and Countervailing Duties Act 1988 ("the Act"), I give notice that I have made a determination that, in relation to the importation or intended importation of the goods specified in the First Schedule to this notice, ("the subject goods")—

- (a) The subject goods are being dumped; but
- (b) By reason thereof material injury to the New Zealand Portland cement industry has not been caused, and is not being caused and is not being threatened.

FIRST SCHEDULE

Goods Subject to Determination

Country of Origin

China.

Description of Goods

Portland Cement, excluding white Portland cement.

Dated at Wellington this 14th day of May 1998.

JOHN LUXTON, Minister of Commerce.

A copy of the non-confidential version of the Final Report which contains details of the investigation and the conclusions reached, is available from the Manager, Trade Remedies Group, Ministry of Commerce, P.O. Box 1473, Wellington.

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