

Customs (Prohibited Exports) Regulation 1963

Unvalidated References:

Customs Act 1951

Coffee Industry Corporation (Statutory Functions and Powers) Act 1991

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel

Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 101B.

Customs (Prohibited Exports) Regulation 1963

ARRANGEMENT OF SECTIONS.

1. Effect.
2. Exportation of Certain Goods.
3. Interpretation of Part III.
4. Coffee Export Committee.
5. General Restrictions on Export.
6. Exemption from Section 5.
7. Compliance with the International Coffee Agreement.

Customs (Prohibited Exports) Regulation 1963

MADE under the *Customs Act 1951*.

Dated 200 .

PART I. – PRELIMINARY.

1. EFFECT.

The provisions of this Regulation are in addition to, and do not derogate the operation of any other law relating to the exportation of goods.

PART II. – PROHIBITIONS AND RESTRICTIONS GENERALLY.

2. EXPORTATION OF CERTAIN GOODS.

The exportation of the goods specified in the second column of the Schedule is prohibited–

- (a) in a case where the words “Permission of” followed by the name or description of one or more persons or a body appear in the third column of that Schedule opposite to the description of those goods—unless the prior written permission of that person or of one of those persons, or of that body, as the case may be, is obtained for exportation; and
- (b) in a case where conditions or requirements are set out in the third column of that Schedule opposite to the description of those goods—unless the conditions or requirements are complied with.

PART III. – SPECIAL PROVISIONS RELATING TO COFFEE.

3. INTERPRETATION OF PART III.

In this Part, unless the contrary intention appears—

“**coffee**” includes raw, roasted or partly roasted coffee and any admixture or thing the main constituent of which is coffee;

“**the Committee**” means the Coffee Export Committee established by Section 4.

4. COFFEE EXPORT COMMITTEE.

(1) A Coffee Export Committee is hereby established.

(2) The Committee shall consist of—

(a) an officer of the Public Service, who shall be the Chairman; and

(b) two persons other than officers of the Public Service, who shall be representatives of coffee growers.

(3) The members of the Committee shall be appointed by the Head of State, acting on advice, by notice in the National Gazette.

5. GENERAL RESTRICTIONS ON EXPORT.

(1) Coffee shall not be exported to a place other than Australia without the permission of the Committee.

(2) Subject to Subsections (3) and (4) coffee shall not be exported unless at the time of export the exporter produces to the Collector a statement verified by statutory declaration showing—

(a) details of all coffee exported by him during the preceding 12 months, and the place to which it was exported; and

(b) details of—

(i) all forward contracts for the export of coffee not then executed; and

(ii) the places to which it is to be exported under them.

(3) Subsection (2)(a) applies—

(a) to the first consignment of coffee by an exporter from the country; and

(b) in other cases, when required by the Collector.

(4) Subsection (2)(b) applies when required by the Collector.

6. EXEMPTION FROM SECTION 5.

(1) The Committee may exempt a person from all or any of the requirements of Section 5—

- (a) in respect of a specified consignment of coffee; or
- (b) in respect of the export of coffee during such period as is specified in the exemption,

either absolutely or subject to such conditions as are specified in the exemption.

(2) The Collector may exempt a consignment of coffee from all or any of the provisions of Section 5(2), either absolutely or subject to such conditions as are specified in the exemption.

(3) Section 5 does not apply to or in relation to a consignment of coffee not exceeding 1 t in weight.

7. COMPLIANCE WITH THE INTERNATIONAL COFFEE AGREEMENT.

Coffee shall not be exported to a place other than Australia unless a certificate of origin prescribed by the *Coffee Industry Corporation (Statutory Functions and Powers) Act 1991* has been issued in respect of it by a Collector, and—

(a) in the case of coffee exported to a country other than a country listed in Annex B to the International Coffee Agreement, unless—

- (i) a Collector has affixed to the original of the certificate current Coffee Export Stamps issued by the International Coffee Organization the total denomination of which corresponds to the net weight of the equivalent in green coffee of the coffee covered by the certificate (disregarding any excess over the last whole multiple of 25 kg); and
- (ii) the stamps have been cancelled by a Collector; and

(b) in the case of coffee exported to a country listed in Annex B to the International Coffee Agreement, unless the words “New Market” have been clearly market in large red letters on the certificate.

SCHEDULE 1 – ^[1]CONDITIONS FOR EXPORT OF CERTAIN GOODS.

Reg., Sec. 2.

Item No.	Description of Goods.	Specification of conditions, etc, or Name of person to give permission.
1.	Bark and Bark products.	Permission of the Minister.
2.	Breeding cattle of the following descriptions:—	Permission of the Minister.
	(a) entire male and entire female of the species <i>Bos taurus</i> and <i>Bos Indicus</i>; or	
	(b) any interspecific hybrids of those cattle.	

3.	Cannabinoids of all kinds, other than Cannabinoids that can be obtained from a plant that is not a Cannabis plant.	Prohibited absolutely.
4.	Cannabis; cannabis resin and extracts, mixtures and tinctures of cannabis; tops of a plant; seeds, leaves, stalks or any other parts of a cannabis plant or cannabis plants living or dead, but not including cannabis resin or fibre.	Prohibited absolutely.
5.	Cannabis resin, crude or purified or in any other form obtained from a cannabis plant or cannabis plants.	Prohibited absolutely.
6.	Cannabis fibre, including goods that consist wholly or substantially of fibre obtained from a cannabis plant or cannabis plants.	Prohibited absolutely.
7.	Charcoal from wood other than coconut shells.	Permission of the Minister.
8.	Coca plant and parts thereof.	Prohibited absolutely.
9.	Coca leaf or leaves.	Prohibited absolutely.
10.	Cocaine.	Prohibited absolutely.
11.	Copal gum.	Permission of the Minister.
12.	Fauna (other than animal products of the pastoral or fishing industries).	Permission of the Minister.
13.	Ferrous and non-ferrous metals.	Permission of the Comptroller.
14.	Flora (other than plant products of the agricultural, fishing or forestry industries).	Permission of the Minister.
15.	Fossil materials.	Permission of the Minister.
16.	Geological specimens.	Permission of the Minister.
17.	Goods or property acquired from the Commonwealth Disposal Commission, whether directly or indirectly.	Permission of the Collector.
18.	Goods or property acquired from the Treasury Disposals Commission, whether directly or indirectly.	Permission of the Collector.
19.	Human skeletons or any part of a human skeleton.	1. The exportation shall be made by accredited representative of an

		officially recognised scientific institution.
		2. Permission of the Head of State acting on advice.
20.	Morphine.	Prohibited absolutely.
21.	Morphine derivatives in any form not specified or otherwise referred to elsewhere in this Schedule.	Prohibited absolutely.
22.	Opium and any of its derivatives including opium tinctures and extracts containing more than 02% of an hydrous morphine; and raw opium including non-medical powdered and granulated forms of raw opium.	Prohibited absolutely.
23.	Opium poppy (papaver somniferum) seeds.	Prohibited absolutely.
24.	Opium prepared for smoking, including dross and any other form of charred opium.	Prohibited absolutely.
25.	Pearl-shell oysters, living, including Pinctada Maxima (gold or silver lipped oyster).	Permission of the Minister.
26.	Pearl-shell Pinctada Maxima commonly known as “golden edge”, “gold lip”, or “silver lip”.	Permission of the Minister.
27.	Rattan.	Permission of the Minister.
28.	Rice that has been imported from New South Wales.	Permission of the Minister.
29.	Sago starch.	Permission of the Minister.
30.	Sandalwood.	Permission of the Minister.
31.	Timber of any of the following description:–	Permission of the Minister.
	(a) Poles; and	
	(b) Piles; and	
	(c) Round timber; and	
	(d) Pulp wood; and	
	(e) Wood chip; and	
	(f) Flitches; and	
	(g) Baulks; and	

	(h) Squares; and	
	(i) Sleepers; and	
	(j) Rough sawn timber; and	
	(k) Dressed timber; and	
	(l) Machines timber; and	
	(m) Turned timber; and	
	(n) Parquetry floor components; and	
	(o) Furniture components.	
32.	Timber logs–	
	(a) of all conifers and of the species Balsa, Blackbean, Cordia, Ebony, Rosewood and Teak;	Prohibited absolutely.
	(b) other than the species specified in Paragraph (a).	Permission of the Minister.

Office of Legislative Counsel, PNG

^[1] Schedule 1, item 20(a) repealed by *Customs (Prohibited Exports) (Timber Logs) Regulation* 1989 (No. 7 of 1989), s(a); Schedule 1, item 21 inserted by *Customs (Prohibited Exports) (Timber Logs) Regulation* 1989 (No. 7 of 1989), s(b); Schedule 1 replaced by *Customs (Prohibited Exports) (Amendment) Regulation* 1990 (No. 15 of 1990); Schedule 1, item 13 amended by *Customs (Budget Provisions) Regulation* 1992 (No. 23 of 1992), s3.