

**Reprint  
as at 1 April 2010**



**Electricity (China Free Trade  
Agreement) Regulations 2008**

(SR 2008/223)

Anand Satyanand, Governor-General

**Order in Council**

At Wellington this 28th day of July 2008

Present:

His Excellency the Governor-General in Council

Pursuant to section 169 of the Electricity Act 1992, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

**These regulations are administered by the Ministry of Economic Development.**

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## Regulations

- 1 Title**  
These regulations are the Electricity (China Free Trade Agreement) Regulations 2008.
- 2 Commencement**  
These regulations come into force on 1 October 2008.
- 3 Interpretation**  
In these regulations, unless the context otherwise requires,—  
**Act** means the Electricity Act 1992  
**CCC mark** means the mark that is required by the Conformity Cooperation Agreement  
**Conformity Cooperation Agreement** means the Agreement between the Government of New Zealand and the Government of the People's Republic of China on Cooperation in the Field of Conformity Assessment in Relation to Electrical and Electronic Equipment and Components, which is Annex 14 of the Free Trade Agreement between the Government of New Zealand and the Government of the People's Republic of China done at Beijing on 7 April 2008.

#### **4 Application**

- (1) Regulations 5 to 8 apply to fittings and electrical appliances that are, or may be, exported from New Zealand in purported compliance with the Conformity Cooperation Agreement.
- (2) The Schedule amends the Electricity Regulations 1997 in relation to fittings and electrical appliances that are imported into New Zealand in purported compliance with the Conformity Cooperation Agreement.

#### **5 Compliance with Conformity Cooperation Agreement**

Fittings or electrical appliances that are, or may be, exported from New Zealand in purported compliance with the Conformity Cooperation Agreement must comply with both of the following:

- (a) the requirements of the Conformity Cooperation Agreement (including any amendments made to that agreement in accordance with it); and
- (b) the standards or rules referred to in the Conformity Cooperation Agreement (including any standards or rules that have been amended or replaced in accordance with that agreement).

#### **6 Compliance with CCC mark**

Fittings or electrical appliances that are, or may be, exported from New Zealand in purported compliance with the Conformity Cooperation Agreement must—

- (a) bear the CCC mark; and
- (b) comply with the requirements of the agreement in relation to that mark.

#### **7 Offences**

- (1) Every person commits an offence who designs, constructs, assembles, or tests any fitting or electrical appliance that is, or may be, exported from New Zealand in purported compliance with the Conformity Cooperation Agreement that does not comply with regulation 5 or 6.
- (2) A person who commits an offence against subclause (1) is liable on summary conviction to,—

- (a) in the case of a natural person, a fine not exceeding \$10,000; or
- (b) in any other case, a fine not exceeding \$50,000.

Regulation 7(1): amended, on 1 April 2010, by regulation 122(2) of the Electricity (Safety) Regulations 2010 (SR 2010/36).

Regulation 7(2): added, on 1 April 2010, by regulation 122(3) of the Electricity (Safety) Regulations 2010 (SR 2010/36).

## **8 Prohibition of non-complying fittings and electrical appliances**

- (1) The Secretary may, in the manner provided for in subclause (2), prohibit any fitting or electrical appliance from being exported from New Zealand that does not comply with regulation 5 or 6.
- (2) A prohibition under this regulation—
  - (a) must be made by notice in the *Gazette*; and
  - (b) takes effect on and from the date specified in the notice (which must be later than the date of the notice's publication in the *Gazette*); and
  - (c) must adequately describe the fitting or electrical appliance being prohibited; and
  - (d) must give brief reasons for the belief that the fitting or electrical appliance does not comply with regulation 5 or 6.
- (3) If the Secretary knows the New Zealand address of the exporter concerned, the Secretary must arrange for that person to be notified of the prohibition before the date on which the prohibition takes effect.

## **9 Amendments to Electricity Regulations 1997**

The Electricity Regulations 1997 are amended in the manner indicated in the Schedule.

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**Schedule**  
**Amendments to Electricity Regulations**  
**1997**

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*[Revoked]*

Schedule: revoked, on 1 April 2010, by regulation 122(4) of the Electricity (Safety) Regulations 2010 (SR 2010/36).

Michael Webster,  
for Clerk of the Executive Council.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 31 July 2008.

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**Notes****1 *General***

This is a reprint of the Electricity (China Free Trade Agreement) Regulations 2008. The reprint incorporates all the amendments to the regulations as at 1 April 2010, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

**2 *Status of reprints***

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

**3 *How reprints are prepared***

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions,

see <http://www.pco.parliament.govt.nz/editorial-conventions/>  
or Part 8 of the *Tables of New Zealand Acts and Ordinances  
and Statutory Regulations and Deemed Regulations in Force*.

#### **4 Changes made under section 17C of the Acts and Regulations Publication Act 1989**

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)

- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5** *List of amendments incorporated in this reprint  
(most recent first)*

Electricity (Safety) Regulations 2010 (SR 2010/36): regulation 122

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